United Nations A/C.3/57/L.21

General Assembly

Distr.: Limited
14 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 102
Advancement of women

Afghanistan, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Bangladesh, Barbados, Belarus, Bulgaria, Cameroon, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Dominican Republic, Fiji, Gambia, Ghana, Guatemala, Hungary, Iceland, Israel, Kazakhstan, Latvia, Liechtenstein, Lithuania, Malawi, Malaysia, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, New Zealand, Nigeria, Norway, Paraguay, Peru, Philippines, Poland, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, San Marino, Senegal, Slovenia, South Africa, Suriname, Swaziland, Switzerland, Trinidad and Tobago, Turkey, Uruguay, Zambia, Zimbabwe: draft resolution

Improvement of the status of women in the United Nations system

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also the goal, contained in the Platform for Action adopted by the Fourth World Conference on Women,[1] of achieving overall gender equality, particularly at the Professional level and above, by 2000 and the further actions and initiatives set out in the outcome document adopted by the General Assembly at its twenty-third special session, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[2]

Recalling further its resolution 56/127 of 19 December 2001 on the improvement of the status of women in the United Nations system,

Taking note of Commission on Human Rights resolution 2002/50 of 23 April 2002 on integrating the human rights of women throughout the United Nations

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[2] Resolution S-23/3, annex.

02-63779 (E) 141002

system,[3] in particular paragraph 14, in which the Commission recognizes that gender mainstreaming will strongly benefit from the enhanced and full participation of women, including at the higher levels of decision-making in the United Nations system,

Welcoming the Secretary-General's study on women, peace and security and the open debate of the Security Council on 25 July 2002 on women, peace and security,[4]

Welcoming also the adoption by the Economic and Social Council of the system-wide medium-term plan for the advancement of women, 2002-2005,[5]

Taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, including least developed countries and small island developing States, and from countries with economies in transition,

Noting with appreciation those departments and offices that have achieved the goal of gender balance, as well as those departments that have met or exceeded the goal of 50 per cent in the selection of women candidates for vacant posts in the past year,

Welcoming the 4 per cent increase in the number of women at the D-2 level, which brings the proportion of women at that level to 22.3 per cent, but expressing concern that at other senior levels of the Secretariat the proportion of women has decreased overall since 1998 to only 10.5 per cent of Under-Secretaries-General and 12.5 per cent of Assistant Secretaries-General,

Expressing concern that only one out of 51 special representatives and envoys of the Secretary-General is a woman, and expressing regret that the number of women heading United Nations agencies has been halved, from six to three, and also that the percentage of women assigned to peace operations has decreased,

Taking note of the report of the Office of Internal Oversight Services on possible discrimination due to nationality, race, sex, religion and language in recruitment, promotion and placement,[6]

Concerned at the Office of Internal Oversight Services finding that the proportion of women separating from the Organization increased from 42 per cent in 1998 to 48 per cent in 2001, that at most levels women are reappointed less frequently than men, and that at these rates the Organization is unlikely to meet its gender parity target without concerted efforts to recruit females and retain the female staff currently employed,

Noting that the statistics on the representation of women in some organizations of the United Nations system are not fully up to date,

1. *Takes note with appreciation* of the report of the Secretary-General and the actions described therein;

---

[3] See E/2002/23 (Part I); for the final text see *Official Records of the Economic and Social Council, 2002* (E/2002/23), chap. 2, sect. A.

[4] See S/PV.4589 and resumption 1.

[5] Economic and Social Council decision 2001/326.

[6] See A/56/956.

2. *Regrets* that the goal of 50/50 gender distribution was not met by the end of 2000, and urges the Secretary-General to redouble his efforts to realize significant progress towards this goal in the near future;

3. *Reaffirms* the urgent goal of achieving 50/50 gender distribution in all categories of posts within the United Nations system, especially at senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations, and also taking into account the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries and countries with economies in transition;

4. *Expresses concern* that in four departments and offices of the Secretariat women still account for less than 30 per cent of staff, and encourages the Secretary-General to intensify his efforts to meet the goal of gender balance within all departments and offices of the Secretariat;

5. *Welcomes*:

(*a*) The ongoing personal commitment of the Secretary-General to meeting the goal of gender equality and his assurance that gender balance will be given the highest priority in his continuing efforts to bring about a new management culture in the Organization;

(*b*) The pledge of the executive heads of the organizations of the United Nations system to intensify their efforts to meet the gender equality goals set out in the Beijing Declaration[7] and the Platform for Action;[1]

(*c*) The inclusion of the objective of improving gender balance in action plans on human resources management for individual departments and offices, and encourages further cooperation, including the sharing of best-practice initiatives, between heads of departments and offices, the Special Adviser on Gender Issues and Advancement of Women and the Office of Human Resources Management of the Secretariat in the implementation of those plans, which include specific targets and strategies for improving the representation of women in individual departments;

(*d*) The decision, within the context of the new staff selection system,[8] to hold heads of departments and offices accountable for meeting the gender targets in departmental human resource action plans through their performance compacts;

(*e*) The continuing designation of focal points for women in the United Nations system, and requests the Secretary-General to ensure that focal points are designated at a sufficiently high level and enjoy full access to senior management, including both at Headquarters and in the field;

(*f*) The continued provision of specific training programmes on gender mainstreaming and gender issues in the workplace, tailored to meet the special needs of individual departments, commends those heads of departments and offices who have launched gender training for their managers and staff, and strongly encourages those who have not yet organized such training to do so by the end of the biennium;

---

[7] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[8] See ST/AI/2002/4.

6. *Requests* the Secretary-General, in order to achieve and maintain the goal of 50/50 gender distribution with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter:

(*a*) To continue to develop innovative recruitment strategies to identify and attract suitably qualified women candidates, particularly from and in developing countries and countries with economies in transition and other Member States that are unrepresented or underrepresented in the Secretariat, and in occupations in which women are underrepresented;

(*b*) To encourage the United Nations system and its agencies and departments to make more effective use of existing information technology resources and systems and other established methods to disseminate information about employment opportunities for women and to better coordinate rosters of potential women candidates;

(*c*) To continue to monitor closely the progress made by departments and offices in meeting the goal of gender balance, to ensure that the appointment and promotion of suitably qualified women will not be less than 50 per cent of all appointments and promotions until the goal of 50/50 gender distribution is met;

(*d*) To strongly encourage heads of departments and offices to continue selecting female candidates when their qualifications are the same as, or better than, those of male candidates, and to effectively encourage, monitor and assess the performance of managers in meeting targets for improving women's representation;

(*e*) To encourage consultation by heads of departments and offices with departmental focal points on women during the selection process and to ensure that the focal points are designated at a sufficiently high level and enjoy full and effective access to senior management;

(*f*) To enable the Office of the Special Adviser on Gender Issues and Advancement of Women to effectively contribute to, monitor and facilitate the setting and implementation of gender targets in human resource action plans, including by ensuring access to the information required to carry out that work;

(*g*) To intensify his efforts to create, within existing resources, a gender-sensitive work environment supportive of the needs of his staff, both women and men, including through actively pursuing appropriate work/life policies, such as flexible working time, flexible workplace arrangements, career development and childcare and elder-care needs, as well as through the provision of more comprehensive information to prospective candidates and new recruits on employment opportunities for spouses, the provision of support for the activities of women's networks and organizations within the United Nations system and the expansion of gender-sensitivity training in all departments, offices and duty stations;

(*h*) To strengthen further the policy against harassment, including sexual harassment, by, inter alia, ensuring the full implementation of the guidelines for its application at Headquarters and in the field, including in peacekeeping operations, and further requests the early issuance of the directive on sexual harassment prepared by the Department of Peacekeeping Operations for use in peacekeeping and other field missions, as well as user-friendly guidelines on sexual harassment to be prepared for the United Nations system by the Office of the Special Adviser on

Gender Affairs and the Advancement of Women and the inter-agency working group;

(*i*) To undertake further analysis of the probable causes of the slow advance in the improvement of the status of women in the United Nations system, as outlined in paragraph 56 of his report, to institute remedial measures, and to report on progress made in this context to the General Assembly at its fifty-eighth session;

7. *Strongly encourages* the Secretary-General to renew his efforts to appoint more women as special representatives and envoys to pursue good offices on his behalf, especially in matters related to peacekeeping, peace-building, preventive diplomacy and economic and social development, as well as in operational activities, including appointment as resident coordinators, and to appoint more women to other high-level positions;

8. *Encourages* the Secretary-General and the executive heads of the organizations of the United Nations system to continue to develop common approaches for retaining women, promoting inter-agency mobility and improving career development opportunities;

9. *Encourages* the United Nations and Member States to continue to implement the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", pertaining to the improvement of the status of women in the United Nations system;[2]

10. *Strongly encourages* Member States:

(*a*) To support the efforts of the United Nations and the specialized agencies to achieve the goal of 50/50 gender distribution, especially at senior and policy-making levels, by identifying and regularly submitting more women candidates for appointment to positions in the United Nations system, by identifying and proposing national recruitment sources that will assist the organizations of the United Nations system in identifying suitable women candidates, in particular from developing countries and countries with economies in transition, and by encouraging more women to apply for positions within the Secretariat, the specialized agencies, funds and programmes and the regional commissions, including in areas in which women are underrepresented, such as peacekeeping, peace-building and other non-traditional areas;

(*b*) To identify women candidates for assignment to peacekeeping missions and to improve the representation of women in military and civilian police contingents;

(*c*) To identify and submit regularly more women candidates for appointment or election to intergovernmental, expert and treaty bodies;

(*d*) To identify and nominate more women candidates for appointment or election as judges or other senior officials in international courts and tribunals;

11. *Requests* the Secretary-General to report on the implementation of the present resolution, including by providing up-to-date statistics on the number and percentage of women in all organizational units and at all levels throughout the

United Nations system, as well as gender-segregated attrition rates for all organizational units and at all levels, and on the implementation of departmental action plans for the achievement of gender balance, to the Commission on the Status of Women at its forty-seventh session and to the General Assembly at its fifty-eighth session.

United Nations A/C.3/57/L 22

General Assembly

Distr.: Limited
14 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 103
Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century

Afghanistan, Algeria, Azerbaijan, Bangladesh, Belize, Benin, Bhutan, Bosnia and Herzegovina, Brunei Darussalam, Cambodia, Cameroon, Cape Verde, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Egypt, Ethiopia, Gambia, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Mauritania, Mauritius, Morocco, Myanmar, Namibia, Nigeria, Pakistan, Panama, Philippines, Qatar, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen and Zambia: draft resolution

Elimination of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century"

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations, which, inter alia, calls for international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Universal Declaration of Human Rights,[1] the Declaration on the Elimination of Discrimination against Women,[2] the Declaration on the

[1] Resolution 217 A (III).
[2] Resolution 2263 (XXII).

02-63877 (E) 151002

Elimination of Violence against Women,[3] the United Nations Declaration on the Elimination of All Forms of Racial Discrimination,[4] the Beijing Declaration[5] and Platform for Action[6] adopted by the Fourth World Conference on Women, the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights[7] and the United Nations Millennium Declaration,[8]

Also recalling its resolution 55/68[9] adopted on 4 December 2000,

Reaffirming the obligations of all States to promote and protect human rights and fundamental freedoms, as enunciated in the Charter, and reaffirming also the obligations of States parties under international human rights instruments, in particular the International Covenant on Civil and Political Rights,[10] the International Covenant on Economic, Social and Cultural Rights,[10] the Convention on the Elimination of All Forms of Discrimination against Women,[11] the International Convention on the Elimination of All Forms of Racial Discrimination,[12] the Convention on the Rights of the Child,[13] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[14] and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[15]

Reaffirming also the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[16]

Reaffirming further the call for the elimination of violence against women and girls, especially all forms of commercial sexual exploitation as well as economic exploitation, including trafficking in women and children, female infanticide, crimes committed in the name of honour, crimes committed in the name of passion, racially motivated crimes, the abduction and sale of children, dowry-related violence and deaths, acid attacks and harmful traditional or customary practices, such as female genital mutilation and early and forced marriages,

Stressing the importance of the empowerment of women as a tool to eliminate all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session,

1. *Takes note with appreciation* of the comprehensive report of the Secretary-General on the elimination of all forms of violence against women,

---

[3] Resolution 48/104.

[4] Resolution 1904 (XVIII).

[5] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[6] Ibid., annex II.

[7] A/CONF.157/24 (Part I), chap. III.

[8] Resolution 55/2.

[9] A/Res/55/68.

[10] Resolution 2200 A (XXI), annex.

[11] Resolution 34/180, annex.

[12] Resolution 2106 A (XX), annex.

[13] Resolution 44/25, annex.

[14] Resolution 39/46, annex.

[15] Resolution 45/158, annex.

[16] Resolution S-23/3, annex.

including crimes identified in the outcome document of the twenty-third special session of the General Assembly,[17] entitled "Women 2000: gender equality, development and peace for the twenty-first century";[16]

2. *Expresses deep concern* at the persistence of various forms of violence and crimes against women in all parts of the world, especially all forms of commercial sexual exploitation as well as economic exploitation, including trafficking in women and children, female infanticide, crimes committed in the name of honour, crimes committed in the name of passion, racially motivated crimes, the abduction and sale of children, dowry-related violence and deaths, acid attacks and harmful traditional or customary practices, such as female genital mutilation and early and forced marriages;

3. *Stresses* that all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session of the General Assembly, are obstacles to the advancement and empowerment of women, and reaffirms that violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms;

4. *Also stresses* the need to treat all forms of violence against women and girls of all ages as a criminal offence punishable by law, including violence based on all forms of discrimination;

5. *Welcomes* specific legal and administrative measures being enacted or contemplated, in particular with regard to various forms of violence against women and girls;

6. Also welcomes in this regard, the launching of various initiatives, strategies and action plans aimed at, among other things, eradication, prevention, promotion, information, legislation, protection and welfare, education and research enhancement of the economic capacity of women and the monitoring of the various forms of violence against women;

7. *Reaffirms* that there is increased awareness of and commitment to preventing and combating violence against women, including crimes identified in the outcome document of the twenty-third special session, and in this context welcomes various legal, administrative and other measures taken by Governments for their prevention and elimination, and calls for high priority to be attached to the further strengthening of such measures;

8. *Urges* Member States to strengthen awareness and preventive measures for the elimination of all forms of violence against women, whether occurring in public or private life, by encouraging and supporting public campaigns to enhance awareness about the unacceptability and the social costs of violence against women, inter alia, through educational and media campaigns in cooperation with educators, community leaders and the electronic and print media;

9. *Expresses its appreciation* of the work being done by non-governmental organizations, including women's organizations, community-based organizations and individuals, in raising awareness about the economic, social and psychological costs of all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session, and in this regard encourages

[17] A/57/171.

Governments to continue their support to the work of the non-governmental organizations in addressing this issue;

10. *Calls upon* States to fulfil their obligations under the relevant human rights instruments and implement the Beijing Platform for Action[5] as well as the outcome document of the twenty-third special session;

11. *Encourages* States parties to include in their reports to the Committee on the Elimination of Discrimination against Women and other relevant treaty bodies, wherever possible, sex-disaggregated data and information on measures taken or initiated to eliminate all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session;

12. *Urges* relevant entities of the United Nations system, within their mandates, to assist countries, upon their request, in their efforts aimed at preventing and eliminating all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session, and in this regard expresses its appreciation of the work being done by the United Nations Population Fund, the United Nations Children's Fund and the United Nations Development Fund for Women and other relevant funds and programmes aimed at preventing and eliminating violence against women and girls;

13. *Invites* the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, to further devote equal attention to all forms of violence against women, including crimes identified in the outcome document of the twenty-third special session, in her work and her reports, within her mandate, to the Commission on Human Rights and the General Assembly;

14. *Requests* the Secretary-General to submit a comprehensive report on this matter to the General Assembly at its fifty-ninth session.

United Nations A/C.3/57/L.23

General Assembly

Distr.: Limited
17 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 105
Promotion and protection of the rights of children

Algeria, Bahrain, Bangladesh, Chile, China, Cuba, Djibouti, Egypt, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, Sudan, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen and Zambia: draft resolution

The situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,[1]

Recalling also the World Declaration on the Survival, Protection and Development of Children and Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[2]

Recalling further the Declaration and Plan of Action[3] adopted by the General Assembly at its twenty-seventh special session,[3]

Concerned that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention,

Concerned also about the recent grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,

Expressing its condemnation of all acts of violence resulting in extensive loss of human life and injuries, including among Palestinian children,

---

[1] Resolution 44/25, annex.
[2] A/45/625, annex.
[3] Resolution S-27/2, annex.

02-64656 (E) 171002

Deeply concerned about the consequences, including psychological consequences, of the Israeli military actions on the present and future well-being of Palestinian children,

1. *Stresses* the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child[1] and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949[4] in order to ensure the well-being and protection of Palestinian children and their families;

3. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian children and their families and to help in the reconstruction of relevant Palestinian institutions.

[4] United Nations, *Treaty Series*, vol. 75, No. 973.

United Nations A/C.3/57/L.23*

General Assembly

Distr.: Limited
17 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 105
Promotion and protection of the rights of children

Algeria, Bahrain, Bangladesh, China, Cuba, Djibouti, Egypt, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, Sudan, Tunisia, United Arab Emirates, United Republic of Tanzania, Yemen and Zambia: draft resolution

The situation of and assistance to Palestinian children

The General Assembly,

Recalling the Convention on the Rights of the Child,[1]

Recalling also the World Declaration on the Survival, Protection and Development of Children and Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[2]

Recalling further the Declaration and Plan of Action[3] adopted by the General Assembly at its twenty-seventh special session,[3]

Concerned that the Palestinian children under Israeli occupation remain deprived of many basic rights under the Convention,

Concerned also about the recent grave deterioration of the situation of Palestinian children in the Occupied Palestinian Territory, including East Jerusalem, and about the severe consequences of the continuing Israeli assaults and sieges on Palestinian cities, towns, villages and refugee camps, resulting in the dire humanitarian crisis,

Expressing its condemnation of all acts of violence resulting in extensive loss of human life and injuries, including among Palestinian children,

---

* Reissued for technical reasons.

[1] Resolution 44/25, annex.

[2] A/45/625, annex.

[3] Resolution S-27/2, annex.

02-64656* (E) 281002

Deeply concerned about the consequences, including psychological consequences, of the Israeli military actions on the present and future well-being of Palestinian children,

1. *Stresses* the urgent need for Palestinian children to live a normal life free from foreign occupation, destruction and fear in their own State;

2. *Demands*, in the meanwhile, that Israel, the occupying Power, respect relevant provisions of the Convention on the Rights of the Child[1] and comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949[4] in order to ensure the well-being and protection of Palestinian children and their families;

3. *Calls upon* the international community to provide urgently needed assistance and services in an effort to alleviate the dire humanitarian crisis being faced by Palestinian children and their families and to help in the reconstruction of relevant Palestinian institutions.

---

[4] United Nations, *Treaty Series*, vol. 75, No. 973.

United Nations A/C.3/57/L.24

General Assembly

Distr.: Limited
17 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 105
Promotion and protection of the rights of children

Algeria, Angola, Benin, Botswana, Brazil, Burundi, Cameroon, Cape Verde, Chile, Congo, Cuba, Democratic Republic of the Congo, Dominican Republic, Ethiopia, Ghana, Kenya, Madagascar, Malawi, Mauritius, Mongolia, Mozambique, Namibia, Nigeria, Philippines, Senegal, South Africa, Sudan, Suriname, Swaziland, Togo, Uganda, United Republic of Tanzania, Zambia and Zimbabwe: draft resolution

The girl child

The General Assembly,

Recalling its resolution 56/139 of 19 December 2001 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child, on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[1]

Welcoming also the adoption by the General Assembly at its twenty-seventh special session on children, on 10 May 2002, of its outcome document, entitled "A World Fit for Children",[2]

Reaffirming the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session,[3]

Recalling the General Assembly Millennium Declaration adopted in September 2000,[4]

Welcoming the outcomes of major conferences, special sessions, summits and their follow-up processes and reaffirming their commitments related to the girl child,

---

[1] Resolution 54/263, annexes I and II.
[2] See resolution S-27/2, annex.
[3] Resolution S-26/2, annex.
[4] See resolution 55/2.

02-64669 (E) 171002

Reaffirming the Beijing Declaration[5] and Platform for Action[6] adopted at the Fourth World Conference on Women, and the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[7]

Recalling all relevant United Nations conferences and the outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on Population and Development[8] and the Programme of Action of the World Summit for Social Development,[9]

Recalling also the Declaration and Agenda for Action adopted by the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996,[10] and welcoming the Yokohama Global Commitment 2001 adopted at the second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, in December 2001,

Recalling further the International Conference on War-Affected Children, held in Winnipeg, Canada, in September 2000, and affirming the ongoing importance of the Winnipeg Agenda for all children affected by armed conflict,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

Recognizing the need to achieve gender equality to ensure full enjoyment by the girl child of all human rights and fundamental freedoms,

Deeply concerned that, in situations of poverty, war and armed conflict, girl children are among those most affected and that thus their potential for full development is limited,

Concerned that the girl child has furthermore become a victim of sexually transmitted diseases and increasingly that of the human immunodeficiency virus, which have a serious impact on the quality of her life and leave her open to further discrimination,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of

---

[5] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations Publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[6] Ibid., annex II.

[7] Resolution S-23/3, annex.

[8] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18) chap. I, resolution 1, annex.

[9] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[10] A/51/385, annex.

All Forms of Discrimination against Women[11] and the Convention on the Rights of the Child,[12]

Reaffirming also the political declaration[13] and further actions and initiatives to implement the Beijing Declaration and Platform for Action,[7] adopted by the General Assembly at its twenty-third special session, entitled "Women 2000: gender equality, development and peace for the twenty-first century",

Reaffirming further the Dakar Framework for Action adopted at the World Education Forum,[14]

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights, factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent promotion and protection of the rights of the girl child as guaranteed under all human rights instruments, including the Convention on the Rights of the Child[12] and the Convention on the Elimination of All Forms of Discrimination against Women;[11]

2. *Urges* States to consider ratifying and/or acceding the Convention on the Rights of the Child and its Optional Protocols, on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[1] as well as the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol;[15]

3. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms, to take effective action against violations of those rights and freedoms and to base programmes and policies for the girl child on the rights of the child;

4. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum, in particular that of eliminating gender disparities in primary and secondary education by 2005, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration[4] in this regard;

5. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[6] as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[7] where appropriate,

---

[11] Resolution 34/180, annex.

[12] Resolution 44/25, annex.

[13] Resolution S-23/2, annex.

[14] See *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000*, UNESCO, Paris, 2000.

[15] Resolution 54/4, annex.

including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

6. *Urges* States to enact and enforce strictly laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and enforce strictly laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

7. *Urges* all States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the commitment to implement the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century";

8. *Also urges* all States to enact and enforce legislation to protect girls from all forms of violence, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced labour, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

9. *Further urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

10. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child and including the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

11. *Urges* States to take special measures for the protection of war-affected girls and in particular to protect them from sexually transmitted diseases, such as human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), and gender-based violence, including rape and sexual abuse, torture, sexual exploitation, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of the war-affected girl child in the delivery of humanitarian assistance and disarmament, demobilization and reintegration processes;

12. *Urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and calls for

special initiatives designed to address all of the rights and needs of war-affected girls;

13. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information material on those rights to all sectors of society, in particular to children;

14. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Beijing Platform for Action and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

15. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination,[16] to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;[17]

16. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

17. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform;

18. *Requests* Member States to ensure that, in preventing and addressing HIV/AIDS, particular attention be paid to the girl child infected and affected by HIV/AIDS and to provide the Secretary-General with information in this regard to help in the preparation of his report to the General Assembly at its fifty-eighth session, as requested by the Declaration of Commitment on HIV/AIDS.[3]

---

[16] Formerly known as the Administrative Committee on Coordination (see Economic and Social Council decision 2001/321 of 24 October 2001).

[17] See A/53/226, paras. 72-77, and A/53/226/Add.1, paras. 88-98.

United Nations A/C.3/57/L.24/Rev.1

General Assembly

Distr.: Limited
25 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 105
Promotion and protection of the rights of children

Algeria, Angola, Armenia, Bangladesh, Benin, Botswana, Brazil, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Congo, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ethiopia, Ghana, Kenya, Kyrgyzstan, Lesotho, Liberia, Madagascar, Malawi, Mauritius, Mongolia, Mozambique, Namibia, Nigeria, Philippines, Senegal, South Africa, Sudan, Suriname, Swaziland, Togo, Uganda, United Republic of Tanzania, Zambia and Zimbabwe: revised draft resolution

The girl child

The General Assembly,

Recalling its resolution 56/139 of 19 December 2001 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and the Convention on the Rights of the Child,[2]

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child, on the involvement of children in armed conflict[3] and on the sale of children, child prostitution and child pornography,[4]

Recalling the General Assembly Millennium Declaration adopted in September 2000,[5]

[1] Resolution 34/180, annex.
[2] Resolution 44/25, annex.
[3] Resolution 54/263, annex I.
[4] Ibid., annex II.
[5] See resolution 55/2.

02-66197 (E) 251002

BEST COPY AVAILABLE

Welcoming the adoption by the General Assembly at its twenty-seventh special session on children, on 10 May 2002, of its outcome document, entitled "A World Fit for Children",[6]

Reaffirming the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session,[7]

Recalling all other relevant United Nations conferences, the Beijing Declaration[8] and Platform for Action[9] adopted at the Fourth World Conference on Women, the outcome document of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[10] and the outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on Population and Development[11] and the Programme of Action of the World Summit for Social Development,[12]

Reaffirming the Dakar Framework for Action adopted at the World Education Forum,[13]

Recalling the Declaration and Agenda for Action adopted by the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996,[14] and welcoming the Yokohama Global Commitment 2001 adopted at the Second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, from 17 to 20 December 2001,[15]

Recalling also the International Conference on War-Affected Children, held in Winnipeg, Canada, in September 2000, and affirming the ongoing importance of the Winnipeg Agenda for War-Affected Children[16] for all children affected by armed conflict,

Recognizing the need to achieve gender equality to ensure a just and equitable world for girls,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices, such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

---

[6] Resolution S-27/2, annex.

[7] Resolution S-26/2, annex.

[8] *Report of the fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[9] Ibid., annex II.

[10] Resolutions S-23/2, annex, and S-23/3, annex.

[11] Resolution S-21/2, annex.

[12] Resolution S-24/2, annex.

[13] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[14] A/51/385, annex.

[15] A/S-27/12, annex.

[16] A/55/467-S/2000/973, annex.

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and that thus their potential for full development is limited,

Concerned that the girl child has furthermore become a victim of sexually transmitted diseases and increasingly that of the human immunodeficiency virus, which have a serious impact on the quality of her life and leave her open to further discrimination,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child[2] and the Convention on the Elimination of All Forms of Discrimination against Women as well as the need for universal ratification of those instruments;

2. *Urges* States to consider signing, ratifying or acceding to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women[17] and the Optional Protocol to the Convention on the Rights of the Child;[3,4]

3. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms, to take effective action against violations of those rights and freedoms and to base programmes and policies for the girl child on the rights of the child;

4. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum, in particular that of eliminating gender disparities in primary and secondary education by 2005, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration[5] in this regard;

5. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[9] as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration[8] and Platform for Action,[18] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

[17] Resolution 54/4, annex.
[18] Resolution S-23/3, annex.

6. *Urges* States to enact and enforce strictly laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and enforce strictly laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

7. *Also urges* States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, as well as the commitment to implement the Beijing Platform for Action and the outcome document of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[10]

8. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced labour, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

9. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

10. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child and including the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

11. *Urges* States to take special measures for the protection of war-affected girls and in particular to protect them from sexually transmitted diseases, such as human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), and gender-based violence, including rape and sexual abuse, and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of the war-affected girl child in the delivery of humanitarian assistance and disarmament, demobilization and reintegration processes;

12. *Urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and calls for special initiatives designed to address all of the rights and needs of war-affected girls;

13. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect

for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information material on those rights to all sectors of society, in particular to children;

14. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Beijing Platform for Action and the further actions and initiatives to implement the Beijing Declaration and Platform for Action;

15. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination,[19] to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;[20]

16. *Calls upon* the United Nations system, including Governments, to promote the active participation of the girl child in the planning, design, implementation and evaluation of policies and programmes, including country programmes, that affect her;

17. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

18. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

19. *Requests* Member States to ensure that, in preventing and addressing HIV/AIDS, particular attention be paid to the girl child infected and affected by HIV/AIDS and to provide the Secretary-General with information in this regard to help in the preparation of his report to the General Assembly at its fifty-eighth session, as requested by the Declaration of Commitment on HIV/AIDS.[7]

---

[19] Formerly known as the Administrative Committee on Coordination (see Economic and Social Council decision 2001/321 of 24 October 2001).

[20] See A/53/226, paras. 72-77, and A/53/226/Add.1, paras. 88-98.

United Nations A/C.3/57/L.25

General Assembly

Distr.: Limited
17 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 105
Promotion and protection of the rights of children

Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Senegal, Spain, Sweden, Trinidad and Tobago* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Rights of the Child

The General Assembly,

Reaffirming all of its resolutions on the rights of the child, in particular resolutions 55/78 and 55/79 of 4 December 2000, recalling resolution 56/138 of 19 December 2001, and taking note with appreciation of Commission on Human Rights resolution 2002/92 of 26 April 2002,[1]

Bearing in mind the Convention on the Rights of the Child, emphasizing that the provisions of the Convention and other relevant human rights instruments must constitute the standard in the promotion and protection of the rights of the child, and reaffirming that the best interest of the child shall be the primary consideration in all actions concerning children,

Welcoming the entry into force of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,[2]

Reaffirming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and

* On behalf of the States Members of the United Nations that are members of the group of Latin American and Caribbean States.

[1] *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

[2] Resolution 54/263, annexes I and II.

02-64767 (E) 221002

30 September 1990,[3] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[4] which, inter alia, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, and which reaffirms that all human rights and fundamental freedoms are universal,

Welcoming the outcome of the special session of the General Assembly on children[5] and the firm commitments contained therein to promote and protect the rights of each child — every human being below the age of 18 years — including adolescents,

Welcoming also the Yokohama Global Commitment 2001[6] adopted at the second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, from 17 to 20 December 2001, and calling upon States to consider its outcome,

Welcoming further the integration of issues of child rights in the outcomes of all major United Nations conferences, special sessions and summits,

Profoundly concerned that the situation of girls and boys in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized world economy, pandemics, in particular human immunodeficiency virus/acquired immunodeficiency syndrome, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Recognizing the need for the realization of a standard of living adequate for the child's physical, mental, spiritual, moral and social development, the protection of the child from torture and other cruel, inhuman or degrading treatment or punishment, the provision of universal and equal access to primary education and the implementation of the commitments on the education of children contained in the United Nations Millennium Declaration,[7]

Concerned at the number of illegal adoptions, of children growing up without parents and of child victims of family and social violence, neglect and abuse,

Concerned also at the number of cases of international abduction of children by one of the parents,

---

[3] A/45/625, annex.

[4] A/CONF.157/24 (Part I), chap. III.

[5] Resolution S-27/2.

[6] See A/S-27/12, annex.

[7] See resolution 55/2, para. 19.

Recognizing that partnership among Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, is important to realizing the rights of the child,

I
Implementation of the Convention on the Rights of the Child

1. *Once again urges* the States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child[8] as a matter of priority with a view to reaching the goal of universal adherence as soon as possible;

2. *Reiterates its concern* at the great number of reservations to the Convention, and urges States parties to withdraw reservations that are incompatible with the object and purpose of the Convention and to review on a regular basis any reservations with a view to withdrawing them;

3. *Calls upon* States parties to implement fully the Convention, while stressing that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children and the special session of the General Assembly on children, and of the goals and objectives endorsed at the relevant major United Nations summits, conferences and special sessions;

4. *Urges* States to assure the child who is capable of forming his or her own views the right to express those views freely in all matters that affect him or her, the views being given due weight in accordance with the age and maturity of the child, and in this regard to involve children and young people in their efforts to implement the Convention and the goals of the Summit and the special session of the Assembly on children, as well as in other programmes relating to children and young people, as appropriate;

5. *Calls upon* States parties to cooperate closely with the Committee on the Rights of the Child and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee, and encourages States parties to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

6. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, notes the temporary support given by the plan of action of the United Nations High Commissioner for Human Rights to strengthen the important role of the Committee in advancing the implementation of the Convention, and also requests the Secretary-General to make available information on the follow-up to the plan of action;

7. *Calls upon* States parties urgently to take appropriate measures so that acceptance of the amendment to paragraph 2 of article 43 of the Convention by a two-thirds majority of States parties can be reached as soon as possible in order for the amendment to enter into force, thus increasing the membership of the Committee from ten to eighteen experts, bearing in mind, inter alia, the additional workload of the Committee when the two Optional Protocols to the Convention enter into force;

[8] Resolution 44/25, annex.

8. *Invites* the Committee to continue to enhance its constructive dialogue with the States parties and its transparent and effective functioning;

9. *Recommends* that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and in which their rights are violated and that they take into account the work of the Committee, and encourages the further development of the rights-based approach adopted by the United Nations Children's Fund and further steps to increase system-wide coordination and inter-agency cooperation for the promotion and protection of the rights of the child;

10. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to the needs of children in especially difficult circumstances;

11. *Reaffirms* the importance of ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and of coordination among various governmental bodies involved in children's rights, and encourages States and relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

12. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to continue to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund so as to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends the Fund for its work to disseminate lessons learned in the implementation of the Convention;

II
Protection and promotion of the rights of children

Identity, family relations and birth registration

1. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

2. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law, without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to re-establishing speedily his or her identity;

3. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

4. *Also urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary in the best interest of the child, and, where alternative

care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents or one in which the parents are living separately and a decision must be made as to the child's place of residence;

5. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in adoptions of children and to take all necessary measures to prevent and combat illegal adoptions and adoptions which do not follow the normal procedures;

6. *Also calls upon* States to take all necessary measures to address the problem of children growing up without parents, in particular orphaned children and children who are victims of family and social violence, neglect and abuse;

7. *Urges* States to address cases of international abduction of children by one of the parents and to assist a parent whose child has been abducted by the other parent;

Health

8. *Calls upon* all States and relevant bodies and organizations of the United Nations system, in particular the World Health Organization and the United Nations Children's Fund, to pay particular attention to the development of sustainable health systems and social services to ensure the effective prevention of diseases, malnutrition, disabilities and infant and child mortality, including through prenatal and post-natal health care, as well as the provision of necessary medical treatment and health care to all children, taking into consideration the special needs of young children and girls, including prevention of common infectious diseases, the special needs of adolescents, including those relating to reproductive and sexual health and threats from substance abuse and violence, and the particular needs of children living in poverty, children in situations of armed conflict and children in other vulnerable groups, and to strengthen ways of empowering families and communities;

9. *Calls upon* all States to adopt all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children affected by disease and malnutrition, including protection from all forms of discrimination, abuse or neglect, in particular in the access to and provision of health care;

10. *Welcomes* the attention given by the Committee on the Rights of the Child to the realization of the highest attainable standards of health and access to health care and to the rights of children affected by human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS);

11. *Urges* States to give particular emphasis to the prevention of HIV infection in young children and strengthen efforts to prevent adolescents and women from becoming HIV-infected, inter alia, by including HIV/AIDS prevention in educational curricula and educational programmes consistent with the epidemiology of the diseases in each State, and by supporting wide-scale voluntary HIV testing and counselling programmes for pregnant women, together with services for HIV-infected pregnant women to reduce the risk of transmitting the virus from HIV/AIDS-infected pregnant women to their children;

12. *Urges* all States to take all necessary measures to protect children infected and/or affected by HIV/AIDS from all forms of discrimination, stigma, abuse and neglect, in particular in the access to and provision of health, education and social services, with a view to the realization of their rights;

13. *Calls upon* the international community, relevant United Nations agencies, funds and programmes and intergovernmental and non-governmental organizations to intensify their support of national efforts against HIV/AIDS aimed at providing assistance to children infected or affected by the epidemic, including those orphaned as a result of the HIV/AIDS pandemic, focusing in particular on the worst-hit regions of Africa and areas in which the epidemic is severely setting back national development gains, calls upon them also to give importance to the treatment, care and support of children infected with HIV/AIDS, and invites them to consider further involving the private sector;

14. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and young people, especially those in vulnerable situations, and urges all States to counter the use of children and young people in the illicit production of and trafficking in narcotic drugs and psychotropic substances;

15. *Also urges* all States to make appropriate treatment and rehabilitation accessible for children, including adolescents, dependent on narcotic drugs, psychotropic substances, inhalants and alcohol;

Education

16. *Calls upon* States to recognize the right to education on the basis of equal opportunity by making primary education compulsory and ensuring that all children have access to free and relevant primary education, as well as by making secondary education generally available and accessible to all, and in particular by the progressive introduction of free education;

17. *Reaffirms* the Dakar Framework for Action adopted at the World Education Forum[9] and calls for its full implementation, and in this regard invites the United Nations Educational, Scientific and Cultural Organization to continue to implement its mandated role in coordinating Education for All partners and maintaining their collaborative momentum;

18. *Calls upon* all States to eliminate the gender gap in education, reaffirms the commitment contained in the United Nations Millennium Declaration to ensure equal access for girls and boys to all levels of education and the completion of a full course of primary schooling by children everywhere, boys and girls alike, by 2015,[7] and in this regard encourages the implementation of the United Nations Girls' Education Initiative launched by the Secretary-General at the World Education Forum;

19. *Calls upon* States to ensure that emphasis is given to the qualitative aspects of education, that the education of the child is carried out, that States parties to the Convention on the Rights of the Child[8] develop and implement programmes

[9] See *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000*, United Nations Educational, Scientific and Cultural Organization, Paris, 2000.

for the education of the child, in accordance with articles 28 and 29 of the Convention, and that education is directed, inter alia, to the development of respect for human rights and fundamental freedoms and to the preparation of the child for a responsible life in a free society in a spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin, and to ensure that children, from an early age, benefit from education on values, attitudes, modes of behaviour and ways of life that will enable them to resolve any dispute peacefully and in a spirit of respect for human dignity and of tolerance and non-discrimination, bearing in mind the Declaration and Programme of Action on a Culture of Peace;[10]

20. *Calls upon* all States to take all appropriate measures to prevent racist, discriminatory and xenophobic attitudes and behaviour by means of education, keeping in mind the important role that children have to play in changing such practices;

21. *Also calls upon* all States to remove educational disparities and make education accessible to children living in poverty, children living in remote areas, children with special educational needs, children affected by armed conflict and children requiring special protection, including refugee children, migrant children, street children, children deprived of their liberty, indigenous children and children belonging to minorities;

22. *Calls upon* States, educational institutions and the United Nations system, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the United Nations Educational, Scientific and Cultural Organization, to develop and implement gender-sensitive strategies to address the particular needs of the girl child in education;

Freedom from violence

23. *Reaffirms* the obligation of States to protect children from torture and other cruel, inhuman or degrading treatment or punishment;

24. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, abuse by police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

25. *Also calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

26. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

27. *Reaffirms* its decision to request the Secretary-General to conduct an in-depth study of the question of violence against children and encourages that he

[10] Resolution 53/243.

appoint, as soon as possible, an independent expert to direct the study, in collaboration with the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and the World Health Organization;

28. *Calls upon* the Governments of all States, in particular States in which the death penalty has not been abolished, to comply with the obligations that they have assumed under relevant provisions of international human rights instruments, including in particular articles 37 to 40 of the Convention on the Rights of the Child[8] and articles 6 and 14 of the International Covenant on Civil and Political Rights;[11]

III
Promotion and protection of the rights of children in particularly vulnerable situations and non-discrimination against children

Plight of children working and/or living on the streets

1. *Calls upon* Governments to seek comprehensive solutions to the problems that cause children to work and/or live on the streets and to implement appropriate programmes and policies for the protection and the rehabilitation and reintegration of those children, bearing in mind that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;

2. *Calls upon* all States to ensure that basic social services, notably education, are provided for children in order to divert them from and to address the economic imperatives that lead to involvement in harmful, exploitative and abusive activity;

3. *Strongly urges* all Governments to guarantee respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent and effective measures to prevent the killing of children working and/or living on the streets, to combat torture and abusive treatment and violence against them and to bring the perpetrators to justice;

4. *Calls upon* all States to take the situation of children working and/or living on the streets into account when preparing reports for submission to the Committee on the Rights of the Child, and encourages the Committee and other relevant bodies and organizations of the United Nations system, within their existing mandates, to pay increased attention to the question of children working and/or living on the streets;

5. *Calls upon* the international community to support, through effective international cooperation, including technical advice and assistance, the efforts of States to improve the situation of children working and/or living on the streets;

Refugee and internally displaced children

6. *Urges* Governments to improve the implementation of policies and programmes for the protection, care and well-being of refugee and internally displaced children and for the provision of basic social services, including access to education, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations

[11] See resolution 2200 A (XXI), annex.

Children's Fund and the Representative of the Secretary-General on internally displaced persons, in accordance with the obligations of States under the Convention on the Rights of the Child;[8]

7. *Calls upon* all States and other parties to armed conflict, as well as United Nations bodies and organizations, to give urgent attention, in terms of protection and assistance, to the fact that refugee and internally displaced children are particularly exposed to risks in connection with armed conflict, such as being forcibly recruited or subjected to sexual violence, abuse or exploitation;

8. *Expresses its deep concern* about the growing number of unaccompanied and/or separated refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies and other relevant organizations to give priority to programmes for family tracing and reunification and to continue to monitor the care arrangements for unaccompanied and/or separated refugee and internally displaced children;

Children with disabilities

9. *Encourages* the working group on the rights of children with disabilities established pursuant to the decision of the Committee on the Rights of the Child to put into practice as soon as possible the recommendations arising from the day of general discussion on the rights of children with disabilities, held on 6 October 1997,[12] including the drafting of a plan of action on children with disabilities, in close cooperation with the Special Rapporteur of the Commission for Social Development on Disability and other relevant parts of the United Nations system;

10. *Encourages* the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities to consider the issue of children with disabilities in its deliberations;

11. *Calls upon* all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities, and to develop and enforce legislation against their discrimination so as to ensure dignity, promote self-reliance and facilitate the child's active participation in the community, including effective access to educational and health services;

Migrant children

12. *Calls upon* States to protect all human rights of migrant children, in particular unaccompanied migrant children, and to ensure that the best interest of the child shall accordingly be a primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund and other relevant United Nations bodies, within their respective mandates, to pay particular attention to the conditions of migrant children in all States and, as appropriate, to make recommendations to strengthen their protection;

13. *Also calls upon* States to cooperate fully with and to assist the Special Rapporteur of the Commission on Human Rights on the human rights of migrants in addressing the particularly vulnerable conditions of migrant children;

---

[12] See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 41* (A/53/41), sect. IV.C.2, and ibid., *Fifty-fifth Session, Supplement No. 41* (A/55/41), sect. IV.C.2.

IV

Prevention and eradication of the sale of children and of their sexual exploitation and abuse, including child prostitution and child pornography

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and expresses its support for his work;

2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to enable him to discharge his mandate fully;

3. *Calls upon* States to continue to cooperate with the Special Rapporteur and to give full consideration to all of his recommendations;

4. *Invites* further voluntary contributions through the Office of the United Nations High Commissioner for Human Rights and support for the work of the Special Rapporteur for the effective fulfilment of his mandate;

5. *Welcomes* the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[13] and urges States parties to implement it fully;

6. *Invites* States that have not yet done so to consider signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

7. *Reaffirms* the obligation of States parties to the Convention on the Rights of the Child[8] and the Optional Protocols thereto to prevent the abduction of, the sale of or the trafficking in children for any purpose or in any form, including the transfer of the organs of the child for profit, and to protect children from all forms of sexual exploitation and abuse, in accordance with articles 35 and 34 of the Convention;

8. *Calls upon* States to take all appropriate steps to combat the misuse of new information and communication technologies, including the Internet, for trafficking in children and for purposes of all forms of sexual exploitation and abuse, in particular the sale of children, child prostitution and child pornography, child sex tourism, acts of paedophilia and other forms of violence and abuse against children and adolescents, and notes that the use of such technologies can also contribute to preventing and eradicating such phenomena;

9. *Also calls upon* States to criminalize and to penalize effectively, in conformity with all relevant and applicable international instruments, all forms of sexual exploitation and abuse of children, including within the family or for commercial purposes, paedophilia, child pornography, child prostitution, child sex tourism, trafficking, the sale of children and their organs and engagement in forced child labour and any other form of exploitation, while ensuring that, in the treatment by the criminal justice system of children who are victims, the best interest of the child shall be a primary consideration, and to take effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country of origin of the offender or in the country in which the abuse takes place, in accordance with due process of law;

[13] Resolution 54/263, annex II.

10. *Calls upon* all Member States to take all necessary steps to strengthen international cooperation by means of multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism, and in this regard calls upon Member States to promote international cooperation and coordination among their authorities, national and international non-governmental organizations and international organizations, as appropriate;

11. *Requests* States to increase cooperation and concerted action at the national, regional and international levels to prevent and dismantle networks that traffic in children;

12. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children, including through preventive and enforcement measures that target customers or individuals who sexually exploit or abuse children, and by ensuring public awareness;

13. *Calls upon* States to enact, enforce, review and revise, as appropriate, laws and to implement policies, programmes and practices to protect children from and to eliminate all forms of sexual exploitation and abuse, including commercial sexual exploitation, taking into account the particular problems posed by the use of the Internet in this regard;

14. *Also calls upon* States to identify best practices and to take all appropriate national, bilateral and multilateral measures, to allocate resources for the development of long-term policies, programmes and practices, to collect comprehensive and disaggregated gender-specific data, to facilitate the participation of child victims of sexual exploitation in the development of strategies to end the sale of children and their organs, sexual exploitation and abuse, including the use of children for pornography, prostitution and acts of paedophilia, and to combat existing markets;

15. *Urges* States to afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[13] including assistance in obtaining evidence at their disposal for the proceedings;

16. *Calls upon* all States to contribute to the elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctioning families, irresponsible adult sexual behaviour, lack of education, urban-rural migration, gender discrimination, harmful traditional practices, armed conflicts and trafficking in children;

17. *Invites* States and relevant United Nations bodies and agencies to allocate appropriate resources for the rehabilitation of child victims of sexual exploitation and abuse and to take all appropriate measures to promote their full recovery and social reintegration;

V

Protection of children affected by armed conflict

1. *Welcomes* the report of the Special Representative of the Secretary-General on the impact of armed conflict on children,[14] and takes note of the report of the Secretary-General on children and armed conflict;

2. *Expresses its support* for the work of the Special Representative in the fulfilment of his mandate, as established in paragraphs 35 to 37 of General Assembly resolution 51/77 of 12 December 1996, in particular in raising worldwide awareness and mobilizing official and public opinion for the protection of children affected by armed conflict in order to promote respect for the rights and needs of children in conflict and post-conflict situations, and recommends that the Secretary-General extend his mandate for a further period of three years;

3. *Recognizes* the progress achieved since the establishment of the mandate of the Special Representative in resolution 51/77, and bearing in mind the report of the Secretary-General on the strengthening of the United Nations;[15]

4. *Requests* the Secretary-General to undertake a comprehensive assessment of the United Nations response to children affected by armed conflict including recommendations for strengthening, sustaining, mainstreaming and streamlining activities, and to submit his report during the fifty-seventh session of the General Assembly for consideration and action at the beginning of the fifty-eighth session of the General Assembly;

5. *Calls upon* the Secretary-General and all relevant parts of the United Nations system, including the Special Representative and the United Nations Children's Fund, to intensify further their efforts to continue to develop a concerted approach to the rights, protection and welfare of children affected by armed conflict, including, as appropriate, in the preparations for the field visits of the Special Representative and in the follow-up to such visits;

6. *Calls upon* all States and other parties concerned to continue to cooperate with the Special Representative in implementing the commitments that they have undertaken and to consider carefully all of the recommendations of the Special Representative and address the issues identified;

7. *Welcomes* the continued support for and voluntary contributions to the work of the Special Representative in the fulfilment of his mandate;

8. *Welcomes* the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[16] and urges States parties to implement it fully;

9. *Invites* States that have not yet done so to consider signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

10. *Urges* all States and other parties to armed conflict to respect international humanitarian law and to put an end to any form of targeting of children and to attacking sites that usually have a significant presence of children, calls upon

[14] A/57/402.

[15] A/57/387 and Corr.1.

[16] Resolution 54/263, annex I.

States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[17] and the Additional Protocols thereto, of 1977,[18] and calls upon all parties to armed conflict to take all measures required to protect children from acts that constitute violations of international humanitarian law, including prosecution by States, within their national legal framework, of those responsible for such violations;

11. *Recognizes*, in this regard, the contribution of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes committed against children, as defined in the Statute of the Court, which include those involving sexual violence or child soldiers, and thus to the prevention of such crimes, and takes duly into consideration measures for special treatment and rehabilitation of child offenders;

12. *Stresses* the importance of all relevant United Nations actors in the field improving their reporting, within their respective mandates, concerning the situation of children affected by armed conflict and giving additional attention to this question;

13. *Condemns* the abduction of children in situations of armed conflict and into armed conflict, urges States, international organizations and other concerned parties to take all appropriate measures to secure the unconditional release, rehabilitation, reintegration and reunification with their families of all abducted children, and urges States to bring the perpetrators to justice;

14. *Calls upon* States to ensure that the adoption of children in situations of armed conflict is guided by the Convention on the Rights of the Child and that the best interest of the child is always envisaged as a paramount consideration;

15. *Urges* States and all other parties to armed conflict to end the use of children as soldiers, to ensure their demobilization and effective disarmament and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, further encourages efforts by, inter alia, regional organizations, intergovernmental organizations and non-governmental organizations to bring an end to the use of children as soldiers in armed conflict, and emphasizes that no support shall be given to those who systematically abuse or violate the rights of children during armed conflicts;

16. *Underlines* the importance of including measures to ensure the rights of the child, inter alia, in the areas of health and nutrition, formal, informal or non-formal education, physical and psychological recovery and social reintegration, in emergency and other humanitarian assistance policies and programmes;

17. *Reaffirms* the essential role of the General Assembly and the Economic and Social Council in the promotion and protection of the rights and welfare of children, takes note of the adoption of Security Council resolution 1379 (2001) on 20 November 2001, and notes the importance of the open debate held in the Security Council on 7 May 2002 on children and armed conflict and the undertaking provided by the Council to give special attention to the protection, welfare and rights of children when taking action aimed at maintaining peace and security;

---

[17] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[18] Ibid., vol. 1125, Nos. 17512 and 17513.

18. *Calls upon* all parties to armed conflict to ensure the full, safe and unhindered access of humanitarian personnel and the delivery of humanitarian assistance to all children affected by armed conflict;

19. *Reaffirms* agreed conclusions 1999/1 adopted by the Economic and Social Council on 23 July 1999, in which the Council, inter alia, called for systematic, concerted and comprehensive inter-agency efforts on behalf of children, as well as adequate and sustainable resource allocation, to provide both immediate emergency assistance to and long-term measures for children throughout all the phases of an emergency;[19]

20. *Urges* States to implement effective measures for the rehabilitation, physical and psychological recovery and reintegration into society of all child victims in cases of armed conflict, invites the international community to assist in this endeavour, and further emphasizes the importance of giving systematic consideration to the special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

21. *Calls upon* States and relevant United Nations bodies to continue to support national and international mine-action efforts, including by means of financial contributions, mine-awareness programmes, victim assistance and child-centred rehabilitation, and welcomes the positive effects on children of concrete legislative measures with respect to anti-personnel mines;

22. *Invites* States, multilateral donors and the private sector to cooperate and to commit the resources necessary for the early development of new and more efficient mine-detection and mine-clearance technologies for assistance in mine action;

23. *Notes with concern* the impact of small arms and light weapons on children in situations of armed conflict, in particular as a result of their illicit production and traffic;

24. *Recommends* that, whenever sanctions are imposed, their impact on children be assessed and monitored and that humanitarian exemptions be child-focused and formulated with clear guidelines for their application;

25. *Calls upon* States, relevant United Nations bodies and agencies and regional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations, including training programmes and emergency relief operations, country programmes and field operations aimed at promoting peace and preventing and resolving conflict, as well as the negotiation and implementation of peace agreements, and, given the long-term consequences for society, underlines the importance of including specific provisions for children, including resourcing, in peace agreements and in arrangements negotiated by parties;

26. *Calls upon* all States, in accordance with the norms of international humanitarian law, to integrate in the training and gender-sensitized education programmes of their armed forces, including those for peacekeeping, instruction on responsibilities towards the civilian population, in particular women and children;

---

[19] See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 3* (A/54/3/Rev.1), chap. VI, para. 5.

27. *Calls upon* Member States, the United Nations system and non-governmental organizations to encourage the involvement of young people in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peace-building and children-to-children networks;

28. *Notes with appreciation* the appointment by the Secretary-General of Child Protection Advisers in United Nations peacekeeping missions, and encourages him to appoint such advisers, where appropriate, to existing and future peacekeeping operations;

29. *Notes with appreciation* the Winnipeg Agenda for War-Affected Children[20] and efforts by regional organizations, in particular the Organization for Security and Cooperation in Europe, the European Union, the Economic Community of West African States, the Organization of American States and the African Union, to include prominently the rights and protection of children affected by armed conflict in their policies and programmes;

VI
Progressive elimination of child labour

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization relating to child labour, in particular the Convention concerning Forced or Compulsory Labour, 1930 (Convention No. 29), the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138), and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Convention 182), and to implement those conventions;

3. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour contrary to accepted international standards, and urges them, inter alia, to eliminate immediately the worst forms of child labour as set out in the 1999 International Labour Organization Convention No. 182;

4. *Also calls upon* all States to assess and examine systematically the magnitude, nature and causes of child labour and to elaborate and implement strategies for the elimination of child labour contrary to accepted international standards, giving special attention to specific dangers faced by girls, as well as to the rehabilitation and social reintegration of the children concerned;

5. *Recognizes* that primary education is one of the main instruments for reintegrating child workers, calls upon all States to recognize the right to education by making primary education compulsory and to ensure that all children have equal access to free primary education as a key strategy to prevent child labour, and recognizes, in particular, the important role of the United Nations Educational,

[20] A/55/467-S/2000/973, annex.

Scientific and Cultural Organization and the United Nations Children's Fund in this regard;

6. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child and in attaining the objective of eliminating child labour contrary to accepted international standards;

7. *Calls upon* all States to strengthen cooperation and coordination at the national and international levels to address effectively the problem of child labour, in close cooperation with, inter alia, the International Labour Organization and the United Nations Children's Fund;

VII

Decides:

(a) To request the Secretary-General to prepare a report on progress achieved in realizing the commitments set out in the final document of the twenty-seventh special session of the General Assembly, entitled "A World Fit for Children",[21] with a view to identifying problems and constraints and making recommendations on action needed to make further progress;

(b) To request the Secretary-General to submit his report to the General Assembly at its fifty-eighth session;

(c) To include in the provisional agenda of its fifty-eighth session an item entitled "Follow-up to the outcome of the twenty-seventh special session of the General Assembly", which will be considered by the General Assembly in plenary meeting;

(d) To request the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child[8] and the problems addressed in the present resolution;

(e) To request the Special Representative of the Secretary-General on the impact of armed conflict on children to submit to the General Assembly and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;

(f) To continue its consideration of this question at its fifty-eighth session under the item entitled "Promotion and protection of the rights of children".

---

[21] See resolution S-27/2.

United Nations A/C.3/57/L.26

General Assembly

Distr.: General
21 October 2002

Original: English

Fifth-seventh session
Third Committee
Agenda items 106 and 112

Programme of activities of the International Decade of the World's Indigenous People

Programme budget for the biennium 2002-2003

Permanent Forum on Indigenous Issues

Programme budget implications of draft resolution A/C.3/57/L.7

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedures of the General Assembly

I. Introduction

1. Under the terms of operative paragraph 1 of draft resolution A/C.3/57/L.7, the General Assembly would request the Secretary-General, in connection with draft decisions I to IV recommended by the Permanent Forum on Indigenous Issues at its first session (see E/2002/43 (Part I)-E/CN.19/2002/3 (Part I), chap. I, sect. A):

(a) To appoint a secretariat unit, in accordance with the budget procedures established by the General Assembly in its resolution 41/213 of 19 December 1986, within the Department of Economic and Social Affairs of the United Nations Secretariat in New York, to assist the Forum in carrying out its mandate, as defined in paragraph 2 of Economic and Social Council resolution 2000/22;

(b) To establish a voluntary fund for the Forum for the purpose of funding the implementation of recommendations made by the Forum through the Council, in line with subparagraph 2 (a) of Council resolution 2000/22, as well as funding activities under its mandate, as defined in subparagraphs 2 (b) and (c) of the same resolution.

2. Under the terms of operative paragraph 6 of draft resolution A/C.3/57/L.7, the General Assembly would decide to authorize an exceptional three-day pre-sessional meeting of the members of the Forum from 7 to 9 May 2003.

3. It is recalled that, in its decision 2002/287 of 25 July 2002, on the secretariat of the Permanent Forum on Indigenous Issues, the Economic and Social Council

02-65173 (E) 221002

BEST COPY AVAILABLE

requested the Secretary-General to submit proposals to the General Assembly at its fifty-seventh session concerning the provision of adequate resources to support the secretariat unit of the Permanent Forum.

4. It is also recalled that in its decision 2002/286 of 25 July 2002, the Council requested the Secretary-General to make available the information requested in paragraph (e) of its decision 2001/316 of 26 July 2001 at least six weeks before its substantive session of 2003, without prejudging any outcome, in order for the Council to conclude at that substantive session the review of all existing mechanisms, procedures and programmes within the United Nations concerning indigenous issues, including the Working Group on Indigenous Populations, with a view to rationalizing activities, avoiding duplication and overlap, and promoting effectiveness.

II. Relationship of the proposed request to the medium-term plan for the period 2002-2005 and the proposed programme of work for the biennium 2002-2003

5. The activities to be carried out would relate to programme 7, Economic and social affairs, of the medium-term plan for the period 2002-2005 and section 9, Economic and social affairs, of the programme budget for the biennium 2002-2003.

III. Modification of the approved programme budget for the biennium 2002-2003

6. In order to reflect the provisions of draft resolution A/C.3/57/L.3, the narrative of subprogramme 3, Social policy and development, of section 9, Economic and social affairs, of the approved programme budget for the biennium 2002-2003 would be modified as follows:

(a) In table 9.11, *add* a new sentence as follows:

Objective: Further, the subprogramme will increase awareness and enhance the integration and coordination of action on indigenous issues in the United Nations system;

and a new subparagraph (f) *reading*

Expected accomplishments	*Indicators of achievement*
(f) Increased capacity of the Permanent Forum on Indigenous Issues to carry out its programme of work.	(f) Satisfaction expressed by members of the Permanent Forum in relation to the support provided to the Forum at its second session in 2003.

(b) In paragraph 9.62, *add*

(a) Servicing of intergovernmental and expert bodies

Permanent Forum on Indigenous Issues

a. Substantive servicing of meetings (26);

b. Parliamentary documentation. Report of the Permanent Forum on Indigenous Issues on its second session;

(b) Other substantive outputs (RB/XB)

Reports on the six substantive key subject areas identified by the Permanent Forum at its first session (health, indigenous rights as human rights, economic and social development, education and culture, environment, and children and youth.

(c) International cooperation and inter-agency coordination and liaison.

Participation of the secretariat of the Permanent Forum in meetings of the Inter-Agency Support Group and provision of support to the Chair; regular contacts will be pursued by the secretariat with relevant United Nations departments, offices and programmes and with entities of the United Nations system to promote the Permanent Forum's recommendations. In addition, the secretariat will raise awareness of the Forum's recommendations within other established inter-agency forums, such as the United Nations Development Group.

IV. Proposals concerning the provision of adequate resources to support the Permanent Forum on Indigenous Issues

7. With the establishment of the Forum, the scope and nature of the activities related to indigenous issues to be carried out by the United Nations and the organizations of the United Nations system is set to expand significantly beyond the human rights area. In the report on its first session (E/2002/43 (Part I)-E/CN.19/2002/3 (Part I)), the Forum identified a number of proposals, objectives, recommendations and areas of possible future action. On that basis, the work of the secretariat of the Forum would include the following:

(a) Providing assistance and support to the Forum during its sessions;

(b) Coordinating inputs of the United Nations system relevant to the programme of work of the Forum;

(c) Representing and advocating the policies of the Forum before United Nations policy-making bodies, agencies, programmes and funds;

(d) Pursuing the integration of indigenous issues within the intergovernmental and inter-agency system;

(e) Consulting with representatives of Member States, representatives of indigenous organizations, academic institutions and others concerned with a view to implementing the programme of work of the Forum;

(f) Pursuing strategies for raising awareness of indigenous issues among non-governmental organizations, the media, academic institutions and civil society at large;

(g) Pursuing the mobilization, as necessary, of resources, including of voluntary financial contributions, for the implementation of the programme of work of the Forum;

(h) Regular liaison with and support to the Chair and Bureau as well as members of the Forum between sessions in pursuance of the mandate, work programme and recommendations of the Forum;

(i) Administering the voluntary fund to be established pursuant to operative paragraph 1 (b) of draft resolution A/C.3/57/L.7.

8. Following a review of the activities and functions to be carried out to implement the programme of work outlined by the Forum, and bearing in mind, as appropriate, the specific recommendations of the Forum as to the size and composition of its secretariat, it is considered that the Secretariat unit to be established to assist the Permanent Forum should include six posts, which would be as follows: four posts at the Professional level (one D-1, one P-4, one P-3, one P-2) and two at the General Service level. The functions of the six posts would include the following:

Director (D-1)

- Provide overall coordination of assistance and support to the mandate and programme of work of the Forum, and provide overall direction and management of the secretariat.
- Engage in high-level discussions with members of the Forum, Member States and United Nations entities.
- Provide policy direction and guidance for establishing and maintaining linkages on indigenous issues within the United Nations system, as well as with other intergovernmental organizations, indigenous organizations, non-governmental organizations and other relevant actors, including academic institutions.
- Coordinate and ensure the preparation of and follow-up to sessions of the Forum.
- Coordinate the preparation of reports to the Economic and Social Council.
- Represent the Forum secretariat at international, regional and national meetings on indigenous issues.
- Act as team leader of the intradepartmental task force on indigenous issues within the Department of Economic and Social Affairs.
- Administer the voluntary fund for the Forum, develop proposals for the approval of the Forum and implement the funded projects.

Programme officers (one P-4, one P-3 and one P-2)

- Follow up the effective implementation of the approved programme of activities.
- Collect and analyse information and data from the United Nations system, and prepare relevant reports and studies pursuant to the recommendations of the Forum.

- Organize meetings for the members of the Forum.
- Prepare the annual report to the Economic and Social Council.
- Undertake research projects.
- Establish and maintain partnerships with other experts and stakeholders (Governments, research institutes, academia, United Nations system and other international organizations, non-governmental organizations, the private sector etc.) to deal with issues relating to indigenous peoples.
- Raise awareness and promote the integration and coordination of activities relating to indigenous issues within the United Nations system, including coordination of meetings within the United Nations system.
- Review and analyse reports of organizations of the United Nations system and country teams.
- Prepare briefing notes on indigenous issues.
- Organize and maintain a relevant clearing house database on indigenous issues and a database on indigenous non-governmental organizations.
- Prepare and disseminate information on indigenous issues.
- Contribute to the personnel and financial management of the secretariat.

Administrative assistants (two General Service)

- Assist the Director and the other Professional staff.
- Respond to inquiries about the secretariat.
- Assist the members of the Permanent Forum during their visits to United Nations Headquarters.
- Day-to-day office administration responsibilities and procedures.

9. Within the United Nations Secretariat, activities related to indigenous people, including coordination, have heretofore been carried out exclusively by the Office of the United Nations High Commissioner for Human Rights. That Office was designated the lead agency for the preparations for the Forum. The mandates currently entrusted to the Office have not been modified in the light of the establishment of the Forum. As a result, it is not presently considered possible to redeploy any of the resources currently available in the Office of the High Commissioner for activities related to mandates on indigenous peoples. Those resources include one P-3 and one P-2 post, as well as one post at the P-4 level which is used for the leader of a team on minorities and indigenous mandates. The mandates currently entrusted to the Office of the High Commissioner are the following:

- Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights (Economic and Social Council resolution 1982/34).
- Working group of the Commission on Human Rights on the draft declaration on the rights of indigenous peoples (Council resolution 1995/32).

- International Decade of the World's Indigenous People (General Assembly resolution 48/163), of which the Office of the High Commissioner is the Coordinator.
- Indigenous fellowship programme (General Assembly resolution 50/157, annex, para. 13).
- Special Rapporteur of the Commission on Human Rights on the situation of human rights and fundamental freedoms of indigenous people (Commission resolution 2001/57).
- Voluntary Fund for Indigenous Populations (General Assembly resolution 40/131).
- Voluntary Fund for the International Decade (General Assembly resolution 48/163).
- Technical assistance to indigenous peoples (Paragraph 30 of section II of the Programme of Action adopted by the World Conference on Human Rights (A/CONF.157/24 (Part I), chap. III)).
- Implementation of recommendations of the Permanent Forum relating to human rights.

10. There may be changes to these mandates in the future, following the review to be undertaken by the Economic and Social Council mentioned in paragraph 4 above. Predictions on this matter cannot therefore be made at the present stage.

11. Among the proposals, objectives, recommendations and areas of possible action identified by the Forum in its report, human rights are dealt with in paragraphs 15 to 24. Only three of the new activities for the Forum secretariat would fall within the currently defined scope of activities of the Office of the High Commissioner: (a) preparation of a report by the Secretary-General on how indigenous issues have been addressed in United Nations Charter-based mechanisms and treaty bodies (para. 15); (b) organization of a technical seminar with members of the Forum, the members of the Working Group on Indigenous Populations and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (para. 17); and (c) organization of activities with indigenous peoples in Africa and Asia (para. 24). These three activities are new and do not duplicate other activities currently carried out by the Office of the High Commissioner. Paragraphs 16 and 18 to 23 of the report are addressed to States or organizations and agencies of the United Nations system, or request priority-setting within the work of existing human rights mechanisms. Activities to be undertaken by other departments and offices of the Secretariat and organizations of the United Nations system are identified in paragraphs 3 to 14 and 25 to 32 of the report.

12. In that connection, it is recalled that the Inter-Agency Support Group for the Forum has been established. The Group met in 2002, discussed ways of supporting the Forum and reported on its deliberations to Governments and indigenous peoples (see E/2002/68, paras. 49-58). It was decided that the Group would meet at least twice a year, with a view to ensuring that the Forum received concerted and coordinated assistance from the United Nations system. The Inter-Agency Support Group is composed of various United Nations departments and organizations, including the Department of Public Information, the Office of the United Nations High Commissioner for Human Rights, the United Nations Human Settlements

Programme, the United Nations Environment Programme, the United Nations Institute for Training and Research, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Development Programme, the International Labour Organization, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Intellectual Property Organization, the secretariat of the Convention on Biological Diversity, the World Bank and the World Trade Organization. The secretariat of the Permanent Forum will provide support to the Chair of the Group, which rotates among organizations.

13. In line with Economic and Social Council decision 2002/287 and upon reviewing of the activities to be carried out for the second session of the Permanent Forum and in support of the Forum in 2004 and beyond, it is proposed that the secretariat be established in two stages. The first stage would be the establishment of one D-1, one P-4 and one GS post as at 1 January 2003; the second stage would consist of the establishment of the remaining three posts (one P-3, one P-2 and one GS) as part of the proposed programme budget for the biennium 2004-2005.

14. This two-stage proposal is based on the following considerations:

(a) The Economic and Social Council has requested that the secretariat unit be established within the Department of Economic and Social Affairs. While the Department can accommodate the unit, it does not have the expertise and absorptive capacity to carry out the full range of activities that would be required to provide services to the Forum at its future sessions. The Department is in a position to provide only overall management and administrative support to the Forum secretariat, and will establish a web site devoted to indigenous issues. The limited expertise available in the Department in the substantive areas identified by the Forum will be made available to the Forum through the establishment of an intradepartmental task force. It is envisaged that the incumbent of the D-1 post proposed to be established as head of the secretariat unit will be the team leader of the task force;

(b) Taking into account the time required to recruit staff for the three core posts proposed for establishment in 2003, the Office of the United Nations High Commissioner for Human Rights will, on an ad hoc basis, put its substantive expertise on indigenous issues and its experience in servicing the first session of the Permanent Forum at the disposal of the Department of Economic and Social Affairs in connection with the provision of services to the second session of the Forum and for the follow-up and implementation during 2003 of the recommendations that the Forum may make at that session;

(c) The preparatory work to be carried out in respect of the second session of the Permanent Forum is expected to be of a lesser scope than the work anticipated for the following sessions. For that reason, it is considered that the resources which would be available through the three posts proposed for establishment in 2003 and the assistance to be provided by other components of the Department of Economic and Social Affairs and the Office of the High Commissioner will be sufficient to carry out the preparatory work for the second session and the follow-up in 2003 of the recommendations that the Forum may make at its second session;

(d) The Secretariat intends to fill the three new posts expeditiously in 2003. The incumbents of these posts will then assume full responsibility for the follow-up

to and implementation of the recommendations of the Forum at its second session, with the assistance of the intradepartmental task force. In 2004, these resources would be strengthened with the three additional posts to be included in the proposed programme budget for the biennium 2004-2005;

(e) Subject to the decision that the Economic and Social Council may take following the review that it will carry out in accordance with its decisions 2001/316 of 26 July 2001 and 2002/286, it is not anticipated that the Office of the High Commissioner would be in a position to continue providing assistance to the Department of Economic and Social Affairs and to the secretariat of the Forum beyond 2003. For this reason, it is proposed that the remaining posts of the Forum secretariat be established as at 1 January 2004.

V. Estimates of resource requirements

15. The estimates of resource requirements for 2003 to implement the above proposal are summarized in the table below. The first column provides estimates of costs that would be incurred if all six of the posts proposed for the secretariat unit were to be established in 2003 (at 2003 costs). The second column provides the estimates related to a phased establishment of the secretariat, with just the first three posts proposed for establishment in 2003.

Requirements for the secretariat of the Forum by section of the programme budget for the biennium 2002-2003 and by object of expenditure

(2003 requirements in United States dollars)

A. Secretariat of the Forum		
Section 9, Economic and social affairs		
Number of posts	Six posts (one D-1, one P-4, one P-3, one P-2 and two General Service posts)	Three posts (one D-1, one P-4 and one General Service/ Other Level post)
Posts[a]	343 100	198 800
Other staff costs for additional support at peak periods and replacement of staff on sick or maternity leave	15 000	15 000
Consultants and experts for specialized service not available in the Secretariat and for meetings of the Forum, as relevant	20 000	20 000
Travel of staff for coordination and follow-up of activities relevant to indigenous issues, including travel of staff from the Office of the United Nations High Commissioner for Human Rights to New York to assist the Forum secretariat and the Department of Economic and Social Affairs	20 000	20 000

Contractual services for external printing and translation of publications	10 000	10 000
General operating expenditures, including rental and maintenance of office equipment, communications, telephone and facsimile changes and maintenance of office automation and data-processing equipment[b]	21 800	10 500
Supplies and materials[b]	2 400	1 200
Furniture and equipment[b]	39 100	
Subtotal	**471 400**	**285 800**
B. Section 27 D, Office of Central Support Services		
Rental of premises[b]	60 400	37 900
Alterations/improvements[b]	92 600	58 300
Subtotal	**153 000**	**96 200**
C. Section 32, Staff assessment		
Staff assessment	70 300	42 500
D. Income section 1, Income from staff assessment		
Income from staff assessment	(70 300)	(42 500)
Grand totai (A-D)	**624 400**	**382 000**

[a] Costs of posts are calculated at vacancy rates of 50 per cent for Professional posts and 35 per cent for General Service posts; all other requirements are costed on an indicative basis, bearing in mind the nature of the work to be undertaken by the secretariat of the Forum.

[b] Calculated on the basis of standard costs.

16. The additional resource requirements entailed by the three-day, pre-sessional meeting mentioned in operative paragraph 6 of draft resolution A/C.3/57/L.7 include $30,800 under section 9, Economic and social affairs, for the daily subsistence allowance of the 16 members of the Forum to attend the exceptional three-day working meeting prior to the second session in May 2003.

17. The additional conference-servicing costs for the three-day meeting are estimated at $98,000 under Section 2, General Assembly affairs and conference services. Every effort would be made to accommodate the meeting in New York from 7 to 9 May 2003 within existing conference-servicing resources. Since the availability of meeting servicing resources inevitably involves a degree of uncertainty as to meetings schedules, the financial impact of servicing the three-day meeting will only be known at the end of 2003. On that basis, no additional resources would be requested at the present stage under section 2, General Assembly affairs and conference services.

VI. Potential for absorption during the biennium 2002-2003

18. The resources approved under section 9, Economic and social affairs, and section 22, Human rights, which would be made available for the substantive servicing of the Forum in 2003 have been described above.

19. No resources have been provided for the establishment in 2003 of a secretariat unit for the Forum under section 9, Economic and social affairs, of the programme budget for the biennium 2002-2003. It would therefore be necessary that an amount of $382,000 be provided by the General Assembly through additional appropriations.

20. No resources have been included in the programme budget for the biennium 2002-2003 to cover the requirements of $30,800 for the daily subsistence allowance of the members of the Permanent Forum to attend the exceptional three-day, pre-sessional meeting of the members of the Forum from 7 to 9 May 2003. At this stage, it is not possible to anticipate whether those requirements could be absorbed from within the resources approved by the General Assembly for the current biennium. It would therefore be necessary that they be provided through additional appropriations.

VII. Contingency fund

21. It will be recalled that, under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available within the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or modifications of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

22. Under the procedure for operation of the contingency fund outlined in section C of the annex to General Assembly resolution 42/211 of 21 December 1987, the Secretary-General would, in his consolidated statement of all statements of programme budget implications and revised estimates, make proposals for revising the consolidated amount so that it would not exceed the available balance. In so doing, the Secretary-General would be guided by the indications of alternatives included in each statement of programme budget implications and in each proposal for revised estimates. The respective legislative bodies should take action on such alternatives at the time they adopt the decision or resolution in question.

23. To date, it has not been possible to identify activities under section 9 or section 27 D that could be terminated, deferred, curtailed or modified during the biennium.

24. Consequently, the Third Committee is invited to make known its priorities regarding the alternatives under consideration. These alternatives include the establishment of the Forum secretariat at a cost of $382,000 and the convening of the three-day, pre-sessional meeting at a cost of $30,800. If the total resources in the contingency fund are sufficient to finance both, they would both be implemented. However, if resources are insufficient, either one or both may not be implemented, taking into account the priorities expressed by the Third Committee.

VIII. Recommendation

25. **The Third Committee may wish: (a) to take note of the present statement of programme budget implications and request that all activities envisaged in draft resolution A/C.3/57/L.7 be implemented if sufficient financial resources are available; and (b) in the context of its review of the requirements chargeable to the contingency fund, to (i) confirm the use of a phased approach for the establishment of the secretariat of the Permanent Forum on Indigenous Issues; (ii) choose as a first priority the first stage of the establishment of the secretariat at a cost of $382,000; and (iii) choose as a second priority the convening of a three-day, pre-sessional meeting of the Forum in 2003 at a cost of $30,800.**

United Nations A/C.3/57/L.27

General Assembly

Distr.: Limited
22 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 106
Programme of activities of the International Decade of the World's Indigenous People

Australia, Belgium, Belize, Brazil, Canada, Chile, Croatia, Cyprus, Denmark, Dominican Republic, Ecuador, Finland, Germany, Greece, Guatemala, Iceland, Ireland, Mexico, Netherlands, New Zealand, Norway, Peru, Russian Federation, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 56/140 of 19 December 2001 and previous resolutions on the International Decade of the World's Indigenous People,

Recalling also its resolution 40/131 of 13 December 1985, by which it established the United Nations Voluntary Fund for Indigenous Populations,

Recalling further that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

Welcoming in this respect, the contributions made through the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, to the realization of the goals of the Decade,

Welcoming also, in this respect, the concluding documents from the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,

Saluting the successful holding of the historic first annual session of the Permanent Forum on Indigenous Issues at United Nations Headquarters in New York from 13 to 24 May 2002,

02-65469 (E) 221002

Welcoming the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people,[1] submitted to the Commission on Human Rights at its fifty-eighth session, pursuant to Commission resolution 2001/57,[2]

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the International Decade of the World's Indigenous People,[3] the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

Urging all parties to continue to use their best efforts to achieve the goals of the Decade,

1. *Takes note* of the report of the Secretary-General on the implementation of the programme of activities of the International Decade of the World's Indigenous People;[4]

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems;

4. *Requests* the United Nations High Commissioner for Human Rights, as coordinator for the Decade:

(a) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of his functions, the special concerns of indigenous people;

(b) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(c) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities of the Decade;

5. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended intersessional working group of the Commission on Human Rights charged with developing a draft declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995;[5]

---

[1] E/CN.4/2002/97.

[2] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[3] Resolution 50/157, annex.

[4] A/57/395.

[5] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

6. *Welcomes* Economic and Social Council resolution 2002/28 of 25 July 2002 concerning the Permanent Forum on Indigenous Issues;

7. *Encourages* Governments to support the Decade by:

(a) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(b) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(c) Establishing national committees or other mechanisms involving indigenous people to ensure that the objective and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(d) Contributing to the United Nations Trust Fund for the International Decade of the World's Indigenous People;

(e) Contributing, together with other donors, to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Permanent Forum on Indigenous Issues, the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the open-ended intersessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(f) Considering contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support of the goals of the Decade;

(g) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

8. *Invites* United Nations financial and development institutions, operational programmes and the specialized agencies and secretariats, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, inter alia, through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points for the coordination of activities related to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

9. *Appeals* to all Governments and organizations to consider contributing to the United Nations Voluntary Fund for Indigenous Populations, if possible with a substantial increase in the level of contributions;

10. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of all relevant United Nations conferences;

11. *Requests* the United Nations High Commissioner for Human Rights to submit through the Secretary-General, a report on the implementation of the programme of activities for the Decade to the General Assembly at its fifty-eighth session;

12. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

United Nations A/C.3/57/L.28

General Assembly

Distr.: Limited
23 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 103
Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century"

Draft resolution submitted by the Chairman on the basis of informal consultations

Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly

The General Assembly,

Recalling its resolutions 50/203 of 22 December 1995, 51/69 of 12 December 1996, 52/100 of 12 December 1997, 53/120 of 9 December 1998, 54/141 of 17 December 1999, 55/71 of 4 December 2000, and 56/132 of 10 December 2001,

Recalling also the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[1] and the proposed actions and initiatives to overcome obstacles and challenges thereto,

Deeply convinced that the Beijing Declaration and Platform for Action[2] and the outcome of the twenty-third special session are important contributions to the advancement of women worldwide in the achievement of gender equality and must be translated into effective action by all States, the United Nations system and other organizations concerned, as well as by non-governmental organizations,

Stressing the importance of strong, sustained political will and commitment at the national, regional and international levels in order to achieve full and accelerated

[1] Resolution S-23/2, annex, and resolution S-23/3, annex.
[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

02-65827 (E) 231002

implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Recognizing that the responsibility for the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session rests primarily at the national level and that strengthened efforts are necessary in this respect, and reiterating that enhanced international cooperation is essential for the effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session,

Welcoming the increased attention to the situation of women and girls and the integration of a gender perspective in the work of the United Nations, in particular in the outcomes of major conferences, special sessions, summit conferences and their follow-up processes, and reaffirming its commitment to building on progress achieved in this respect,

Welcoming also the attention given to the situation of women and girls and the integration of a gender perspective in the outcomes of the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002; the Second World Assembly on Ageing, held in Madrid, from 8 to 12 April 2002; the twenty-seventh special session of the General Assembly, held in New York from 8 to 10 May 2002; and the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002,

Emphasizing the importance of the decision by the Economic and Social Council, in its resolution 2001/41 of 26 July 2001, to devote the coordination segment of one of its substantive sessions, before 2005, to the review and appraisal of the system-wide implementation of agreed conclusions 1997/2 on mainstreaming the gender perspective into all policies and programmes in the United Nations system, adopted by the Council on 18 July 1997,[3]

Noting with concern that the United Nations Convention against Transnational Organized Crime[4] and the Protocols thereto[5] have not yet entered into force,

Reaffirming the primary and essential role of the General Assembly and the Economic and Social Council in promoting the advancement of women and gender equality, while noting the open debate entitled "Peacekeeping and Gender" held in the Security Council on 25 July 2002,

1. *Reaffirms* the goals, objectives and commitments contained in the Beijing Declaration and Platform for Action and also in the political declaration and further actions and initiatives to implement the Beijing Declaration and Platform for Action adopted by the General Assembly at its twenty-third special session;

2. *Takes note with appreciation* of the report of the Secretary-General on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly;[6]

---

[3] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV, para. 4.

[4] Resolution 55/25, annex I.

[5] Ibid., annexes II and III, and resolution 55/255, annex.

[6] A/57/286.

3. *Calls upon* Governments, the relevant entities of the United Nations system within their respective mandates and all other relevant actors of civil society, including non-governmental organizations, to continue to take effective action to achieve full and effective implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, as elaborated in the above-mentioned documents;

4. *Strongly encourages* Governments to continue to support the role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

5. *Calls on* Governments and all other relevant actors to continue to integrate a gender perspective in the implementation of and follow-up to recent United Nations conferences, summits and special sessions and in future reports on this subject;

6. *Requests* the Secretary-General to include an assessment of the progress in promoting the goal of gender equality, in particular in relation to the Millennium Declaration development goals, in his annual and quinquennial follow-up reports on the Millennium Declaration, and recommendations to improve the measurement and coverage of indicators so that progress towards gender equality can be evaluated over time;

7. *Welcomes* the convening of the World Summit on the Information Society, to be held in Geneva, Switzerland, in 2003, and Tunis in 2005, and encourages Governments and all other stakeholders to integrate a gender perspective in the preparatory processes and outcome documents;

8. *Reaffirms* its decision that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and with General Assembly resolution 48/162 of 20 December 1993 and other relevant resolutions, constitute a three-tiered intergovernmental mechanism that plays the primary role in the overall policy-making and follow-up and in coordinating the implementation and monitoring of the Beijing Platform for Action and the outcome of the twenty-third special session;

9. *Also reaffirms* that the follow-up to the Fourth World Conference on Women and the twenty-third special session will be undertaken within the framework of an integrated and coordinated follow-up to major international conferences and summits in the economic, social and related fields;

10. *Invites* the Economic and Social Council to continue its efforts to ensure that gender mainstreaming is an integral part of all activities in its work and that of its subsidiary bodies, building upon agreed conclusions 1997/2 adopted by the Council on 18 July 1997 and, in this regard, welcomes the inclusion of the issue of gender mainstreaming in its agenda, the consideration of annual progress made in gender mainstreaming and the attention given to gender perspective in the outcomes of the Council's substantive session of 2002;

11. *Encourages* the Council to request the regional commissions, within their respective mandates and resources, to intensify efforts to build up a database, to be updated regularly, in which all programmes and projects carried out in their respective regions by agencies or organizations of the United Nations system are

listed, and to facilitate their dissemination, as well as the evaluation of their impact on the empowerment of women through the implementation of the Beijing Platform for Action;

12. *Welcomes* the contribution of the Commission on the Status of Women in the follow-up and review of the future implementation of the commitments made in the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and reaffirms that the Commission on the Status of Women will continue to play a central role in this regard, and encourages Governments, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to continue to support its work;

13. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action and of the implementation of the outcome of the twenty-third special session by regional commissions and other regional or subregional structures, within their mandates, in consultation with Governments, and calls for the promotion of further cooperation in that respect among Governments and, where appropriate, national machineries of the same region;

14. *Also recognizes* that sustained political will and commitment at the national, regional and international levels are essential elements for the full and accelerated implementation of the Beijing Platform for Action and the outcome of the twenty-third special session;

15. *Further recognizes* that adequate mobilization of resources at the national and international levels, as well as new and additional resources for the developing countries, including the least developed countries and countries with economies in transition, from all available funding mechanisms, including multilateral, bilateral and private sources, will also be required;

16. *Acknowledges* that the creation of an enabling environment at the national and international levels, including through the full participation of women at all levels of decision-making, is necessary to ensure the full participation of women in economic activities, and calls upon States to remove obstacles to the full implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session;

17. *Reaffirms* that, in order to ensure the effective implementation of the strategic objectives of the Beijing Platform for Action and the outcome of the twenty-third special session, the United Nations system should promote an active and visible policy of mainstreaming a gender perspective, including through the work of the Division for the Advancement of Women and of the office of the Special Adviser on Gender Issues and Advancement of Women and the maintenance of gender units and focal points;

18. *Also reaffirms* that United Nations bodies that focus on gender issues, such as the United Nations Population Fund, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women, and the United Nations Children's Fund, have a critical role to play in the implementation of the objectives of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, and recognizes that gender specialists throughout the United Nations system also have an important role to play in this regard;

19. *Expresses its appreciation* for the efforts made by all relevant organizations of the United Nations system in promoting the role of women in conflict prevention and resolution;

20. *Recognizes* the important role of women in the prevention and resolution of conflicts and in peace-building, the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution, and urges the United Nations system and Governments to make further efforts in this regard and to take steps to ensure and support the full participation of women at all levels of decision-making and implementation in development activities and peace processes, including conflict prevention and resolution, post-conflict reconstruction, peacemaking, peacekeeping and peace-building, as well as through the integration of a gender perspective into those United Nations processes;

21. *Requests* the Secretary-General to ensure that all United Nations personnel and officials at Headquarters and in the field, especially in field operations, receive training so that they mainstream a gender perspective in their work, including gender impact analysis, and to ensure appropriate follow-up to such training;

22. *Also requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that all programmes, medium-term plans and programme budgets visibly mainstream a gender perspective;

23. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women[7] to include information on measures taken to implement the outcome of the twenty-third special session, as well as the Beijing Platform for Action, in their reports to the Committee on the Elimination of Discrimination against Women under article 18 of the Convention;

24. *Welcomes* the entry into force of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,[8] and urges States parties to the Convention that have not yet done so to consider signing, ratifying or acceding to the Optional Protocol;

25. *Urges* Member States to consider signing, ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

26. *Requests* the Secretary-General to continue to disseminate the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session as widely as possible in all the official languages of the United Nations;

27. *Also requests* the Secretary-General to integrate a gender perspective in his reporting to the Assembly, in order to support gender-sensitive policy formulation.

---

[7] Resolution 34/180, annex.

[8] Resolution 54/4, annex.

28. *Further requests* the Secretary-General to report annually to the General Assembly, the Economic and Social Council and the Commission on the Status of Women on follow-up to and progress in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session, with an assessment of progress made in mainstreaming a gender perspective within the United Nations system, including by providing information on key achievements, lessons learned and best practices, and to recommend further measures and strategies for future action within the United Nations system;

29. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled "Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly, entitled 'Women 2000: gender equality, development and peace for the twenty-first century'".

United Nations A/C.3/57/L.29

General Assembly

Distr.: Limited
23 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 106
Programme of activities of the International Decade of the World's Indigenous People

Antigua and Barbuda, Belize, Cyprus, Dominica, Greece, Grenada, Haiti, Saint Kitts and Nevis, Saint Vincent and the Grenadines and Suriname: draft resolution

Indigenous people and issues

The General Assembly,

Recalling Economic and Social Council resolution 2000/22 of 28 July 2000, in which the Council established the Permanent Forum on Indigenous Issues,

Recalling also its resolution 56/140 of 19 December 2001 on the International Decade of the World's Indigenous People, in which it welcomed Economic and Social Council decision 2001/316 of 26 July 2001 concerning the Permanent Forum,

Taking note of the report of the Permanent Forum on its first session, held at United Nations Headquarters in New York from 13 to 24 May 2002,[1]

Bearing in mind the special nature of the Permanent Forum as a global focal point for promoting cooperation among States and indigenous peoples, in particular, with regard to the implementation of international policies, commitments and action plans on indigenous peoples and sustainable development,

1. *Invites* the Secretary-General to establish, within the framework of the secretariat of the Permanent Forum on Indigenous Issues to be established in accordance with General Assembly resolution 57/___, the post of Special Adviser, in order, inter alia, to provide independent advice and substantive assistance to the secretariat in carrying out its mandate in a successful and fruitful manner;

2. *Looks forward* to the appointment of a qualified person of high standards, integrity and independence, who would work pro bono and whose appointment would thus have no financial implications for the regular budget of the United Nations, and who is also very familiar with the United Nations system, has over a decade of experience with and significant knowledge of indigenous issues and has previously served as an expert in this respect.

[1] E/2002/43 (Parts I and II)-E/CN.19/2002/36 (Parts I and II).

02-65861 (E) 241002

United Nations A/C.3/57/L.30

General Assembly

Distr.: Limited
28 October 2002

Original: English

Fifty-seventh session
Third Committee
Agenda item 109 (a)
Human rights questions: implementation of human rights instruments

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cape Verde, Chile, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Finland, France, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Kiribati, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Marshall Islands, Mexico, Monaco, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Poland, Portugal, Romania, Saint Kitts and Nevis, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, Uruguay and Yugoslavia: draft resolution

Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,[1] article 7 of the International Covenant on Civil and Political Rights,[2] the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[3] and its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and all its subsequent relevant resolutions,

Reaffirming that freedom from torture is a right that must be protected under all circumstances,

[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] Resolution 3452 (XXX), annex.

02-66328 (E) 301002

Considering that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, firmly declared that efforts to eradicate torture should, first and foremost, be concentrated on prevention and called for the early adoption of an optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which is intended to establish a preventive system of regular visits to places of detention,

Welcoming the adoption of the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment by the Commission on Human Rights in its resolution 2002/33 of 22 April 2002[4] and by the Economic and Social Council in its resolution E/2002/27 of 24 July 2002, in which the Council recommended to the General Assembly the adoption of the draft optional protocol,

1. *Adopts* the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment contained in the annex to the present resolution, and requests the Secretary-General to open it for signature, ratification and accession at United Nations Headquarters in New York from 1 January 2003;

2. *Calls upon* all States that have signed, ratified or acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to sign and ratify or accede to the Optional Protocol.

Annex
Optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Preamble

The States Parties to the present Protocol,

Reaffirming that torture and other cruel, inhuman or degrading treatment or punishment are prohibited and constitute serious violations of human rights,

Convinced that further measures are necessary to achieve the purposes of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter referred to as the Convention) and to strengthen the protection of persons deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment,

Recalling that articles 2 and 16 of the Convention oblige each State Party to take effective measures to prevent acts of torture and other cruel, inhuman or degrading treatment or punishment in any territory under its jurisdiction,

Recognizing that States have the primary responsibility for implementing these articles, that strengthening the protection of people deprived of their liberty and the full respect for their human rights is a common responsibility shared by all and that international implementing bodies complement and strengthen national measures,

---

[4] See *Official Records of the Economic and Social Council, 2002, Supplement No. 3* (E/2002/23), chap. II, sect. A.

Recalling that the effective prevention of torture and other cruel, inhuman or degrading treatment or punishment requires education and a combination of various legislative, administrative, judicial or other measures,

Recalling also that the World Conference on Human Rights firmly declared that efforts to eradicate torture should first and foremost be concentrated on prevention and called for the adoption of an optional protocol to the Convention, which is intended to establish a preventive system of regular visits to places of detention,

Convinced that the protection of persons deprived of their liberty against torture and other cruel, inhuman or degrading treatment or punishment can be strengthened by non-judicial means of a preventive nature, based on regular visits to places of detention,

Have agreed as follows:

Part I
General principles

Article 1

The objective of the present Protocol is to establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.

Article 2

1. A Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture (hereinafter referred to as the Subcommittee on Prevention) shall be established and shall carry out the functions laid down in the present Protocol.

2. The Subcommittee on Prevention shall carry out its work within the framework of the Charter of the United Nations and will be guided by the purposes and principles thereof, as well as the norms of the United Nations concerning the treatment of people deprived of their liberty.

3. Equally, the Subcommittee on Prevention shall be guided by the principles of confidentiality, impartiality, non-selectivity, universality and objectivity.

4. The Subcommittee on Prevention and the States Parties shall cooperate in the implementation of the present Protocol.

Article 3

Each State Party shall set up, designate or maintain at the domestic level one or several visiting bodies for the prevention of torture and other cruel, inhuman or degrading treatment or punishment (hereinafter referred to as the national preventive mechanism).

Article 4

1. Each State Party shall allow visits, in accordance with the present Protocol, by the mechanisms referred to in articles 2 and 3 to any place under its jurisdiction and control where persons are or may be deprived of their liberty, either by virtue of an order given by a public authority or at its instigation or with its consent or acquiescence (hereinafter referred to as places of detention). These visits shall be undertaken with a view to strengthening, if necessary, the protection of these persons against torture and other cruel, inhuman or degrading treatment or punishment.

2. For the purposes of the present Protocol, deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private custodial setting from which that person is not permitted to leave at will by order of any judicial, administrative or other authority.

Part II
Subcommittee on Prevention

Article 5

1. The Subcommittee on Prevention shall consist of 10 members. After the fiftieth ratification or accession to the present Protocol, the number of the members of the Subcommittee on Prevention shall increase to 25.

2. The members of the Subcommittee shall be chosen from among persons of high moral character, having proven professional experience in the field of the administration of justice, in particular criminal law, prison or police administration, or in the various fields relevant to the treatment of persons deprived of their liberty.

3. In the composition of the Subcommittee due consideration shall be given to equitable geographic distribution and to the representation of different forms of civilization and legal systems of the States Parties.

4. In this composition consideration shall also be given to the balanced gender representation on the basis of the principles of equality and non-discrimination.

5. No two members of the Subcommittee may be nationals of the same State.

6. The members of the Subcommittee shall serve in their individual capacity, shall be independent and impartial and shall be available to serve the Subcommittee efficiently.

Article 6

1. Each State Party may nominate, in accordance with paragraph 2 below, up to two candidates possessing the qualifications and meeting the requirements set out in article 5, and in doing so shall provide detailed information on the qualifications of the nominees.

2. (a) The nominees shall have the nationality of a State Party to the present Protocol;

(b) At least one of the two candidates shall have the nationality of the nominating State Party;

(c) No more than two nationals of a State Party shall be nominated;

(d) Before a State Party nominates a national of another State Party, it shall seek and obtain the consent of that State Party.

3. At least five months before the date of the meeting of the States Parties during which the elections will be held, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within three months. The Secretary-General shall submit a list, in alphabetical order, of all persons thus nominated, indicating the States Parties that have nominated them.

Article 7

1. The members of the Subcommittee on Prevention shall be elected in the following manner:

(a) Primary consideration shall be given to the fulfilment of the requirements and criteria of article 5 of the present Protocol;

(b) The initial election shall be held no later than six months after the entry into force of the present Protocol;

(c) The States Parties shall elect the members of the Subcommittee by secret ballot;

(d) Elections of the members of the Subcommittee shall be held at biennial meetings of the States Parties convened by the Secretary-General of the United Nations. At those meetings, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Subcommittee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of the States Parties present and voting.

2. If during the election process two nationals of a State Party have become eligible to serve as members of the Subcommittee on Prevention, the candidate receiving the higher number of votes shall serve as the member of the Subcommittee. Where nationals have received the same number of votes, the following procedure applies:

(a) Where only one has been nominated by the State Party of which he or she is a national, that national shall serve as the member of the Subcommittee on Prevention;

(b) Where both candidates have been nominated by the State Party of which they are nationals, a separate vote by secret ballot shall be held to determine which national shall become member;

(c) Where neither candidate has been nominated by the State Party of which he or she is a national, a separate vote by secret ballot shall be held to determine which candidate shall be the member.

Article 8

If a member of the Subcommittee on Prevention dies or resigns, or for any cause can no longer perform his or her duties, the State Party that nominated the member shall nominate another eligible person possessing the qualifications and meeting the requirements set out in article 5, taking into account the need for a

proper balance among the various fields of competence, to serve until the next meeting of the States Parties, subject to the approval of the majority of the States Parties. The approval shall be considered given unless half or more of the States Parties respond negatively within six weeks after having been informed by the Secretary-General of the United Nations of the proposed appointment.

Article 9

The members of the Subcommittee on Prevention shall be elected for a term of four years. They shall be eligible for re-election once if renominated. The term of half the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these members shall be chosen by lot by the Chairman of the meeting referred to in article 7, paragraph 1 (d).

Article 10

1. The Subcommittee on Prevention shall elect its officers for a term of two years. They may be re-elected.

2. The Subcommittee on Prevention shall establish its own rules of procedure. These rules shall provide, inter alia, that:

(a) Half plus one members shall constitute a quorum;

(b) Decisions of the Subcommittee on Prevention shall be made by a majority vote of the members present;

(c) The Subcommittee on Prevention shall meet in camera.

3. The Secretary-General of the United Nations shall convene the initial meeting of the Subcommittee on Prevention. After its initial meeting, the Subcommittee shall meet at such times as shall be provided by its rules of procedure. The Subcommittee on Prevention and the Committee against Torture shall hold their sessions simultaneously at least once a year.

Part III
Mandate of the Subcommittee on Prevention

Article 11

The Subcommittee on Prevention shall:

(a) Visit the places referred to in article 4 and make recommendations to States Parties concerning the protection of persons deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

(b) In regard to the national preventive mechanisms:

(i) Advise and assist States Parties, when necessary, in their establishment;

(ii) Maintain direct, and if necessary confidential, contact with the national preventive mechanisms and offer them training and technical assistance with a view to strengthening their capacities;

(iii) Advise and assist them in the evaluation of the needs and the means necessary to strengthen the protection of persons deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

(iv) Make recommendations and observations to the States Parties with a view to strengthening the capacity and the mandate of the national preventive mechanisms for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

(c) Cooperate, for the prevention of torture in general, with the relevant United Nations organs and mechanisms as well as with the international, regional and national institutions or organizations working towards the strengthening of the protection of persons from torture and other cruel, inhuman or degrading treatment or punishment.

Article 12

In order to enable the Subcommittee on Prevention to comply with its mandate as laid out in article 11, the States Parties undertake to:

(a) Receive the Subcommittee on Prevention in its territory and grant it access to the places of detention as defined in article 4 of the present Protocol;

(b) Share all relevant information the Subcommittee on Prevention may request to evaluate the needs and measures that should be adopted in order to strengthen the protection of persons deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment;

(c) Encourage and facilitate contacts between the Subcommittee on Prevention and the national preventive mechanisms;

(d) Examine the recommendations of the Subcommittee on Prevention and enter into dialogue with it on possible implementation measures.

Article 13

1. The Subcommittee on Prevention shall establish, at first by lot, a programme of regular visits to the States Parties in order to fulfil its mandate as established in article 11.

2. After consultations, the Subcommittee on Prevention shall notify the States Parties of its programme in order that they may, without delay, make the necessary practical arrangements for the visits to take place.

3. The visits shall be conducted by at least two members of the Subcommittee on Prevention. These members may be accompanied, if needed, by experts of demonstrated professional experience and knowledge in the fields covered by the present Protocol who shall be selected from a roster of experts prepared on the basis of proposals made by the States Parties, the Office of the United Nations High Commissioner for Human Rights and the United Nations Centre for International Crime Prevention. In preparing the roster, the States Parties concerned shall propose no more than five national experts. The State Party concerned may oppose the inclusion of a specific expert in the visit, whereupon the Subcommittee on Prevention shall propose another expert.

4. If the Subcommittee on Prevention considers it appropriate, it can propose a short follow-up visit after regular visit.

Article 14

1. In order to enable the Subcommittee on Prevention to fulfil its mandate, the States Parties to the present Protocol undertake to grant it:

(a) Unrestricted access to all information concerning the number of persons deprived of their liberty in places of detention as defined in article 4, as well as the number of places and their location;

(b) Unrestricted access to all information referring to the treatment of these persons as well as their conditions of detention;

(c) Subject to paragraph 2 below, unrestricted access to all places of detention and their installations and facilities;

(d) The opportunity to have private interviews with the persons deprived of their liberty without witnesses, either personally or with a translator if deemed necessary, as well as with any other person whom the Subcommittee on Prevention believes may supply relevant information;

(e) The liberty to choose the places it wants to visit and the persons it wants to interview.

2. Objection to a visit to a particular place of detention can only be made on urgent and compelling grounds of national defence, public safety, natural disaster or serious disorder in the place to be visited that temporarily prevent the carrying out of such a visit. The existence of a declaration of a state of emergency as such shall not be invoked by a State Party as a reason to object to a visit.

Article 15

No authority or official shall order, apply, permit or tolerate any sanction against any person or organization for having communicated to the Subcommittee on Prevention or to its delegates any information, whether true or false, and no such person or organization shall be otherwise prejudiced in any way.

Article 16

1. The Subcommittee on Prevention shall communicate its recommendations and observations confidentially to the State Party and, if relevant, to the national mechanism.

2. The Subcommittee on Prevention shall publish its report, together with any comments of the State Party concerned, whenever requested to do so by that State Party. If the State Party makes part of the report public, the Subcommittee on Prevention may publish the report in whole or in part. However, no personal data shall be published without the express consent of the person concerned.

3. The Subcommittee on Prevention shall present a public annual report on its activities to the Committee against Torture.

4. If the State Party refuses to cooperate with the Subcommittee on Prevention according to articles 12 and 14, or to take steps to improve the situation in the light

of the Subcommittee's recommendations, the Committee against Torture may, at the request of the Subcommittee on Prevention, decide, by a majority of its members, after the State Party has had an opportunity to make its views known, to make a public statement on the matter or to publish the Subcommittee's report.

Part IV
National preventive mechanisms

Article 17

Each State Party shall maintain, designate or establish, at the latest one year after the entry into force of the present Protocol or of its ratification or accession, one or several independent national preventive mechanisms for the prevention of torture at the domestic level. Mechanisms established by decentralized units may be designated as national preventive mechanisms for the purposes of the present Protocol if they are in conformity with its provisions.

Article 18

1. The States Parties shall guarantee the functional independence of the national preventive mechanisms as well as the independence of their personnel.

2. The States Parties shall take the necessary measures in order for the experts of the national mechanism to have the required capabilities and professional knowledge. They shall strive for a gender balance and the adequate representation of ethnic and minority groups in the country.

3. The States Parties undertake to make available the necessary resources for the functioning of the national preventive mechanisms.

4. When establishing national preventive mechanisms, States Parties shall give due consideration to the Principles relating to the status and functioning of national institutions for the promotion and protection of human rights.

Article 19

The national preventive mechanisms shall be granted at a minimum the powers to:

(a) Regularly examine the treatment of the persons deprived of their liberty in places of detention as defined in article 4, with a view to strengthening, if necessary, their protection from torture, cruel, inhuman or degrading treatment or punishment;

(b) Make recommendations to the relevant authorities with the aim of improving the treatment and the conditions of the persons deprived of their liberty and to prevent torture and cruel, inhuman or degrading treatment or punishment, taking into consideration the relevant norms of the United Nations;

(c) Submit proposals and observations concerning existing or draft legislation.

Article 20

In order to enable the national preventive mechanisms to fulfil their mandate, the States Parties to the present Protocol undertake to grant them:

(a) Access to all information concerning the number of persons deprived of their liberty in places of detention as defined in article 4, as well as the number of places and their location;

(b) Access to all information referring to the treatment of these persons as well as their conditions of detention;

(c) Access to all places of detention and their installations and facilities;

(d) The opportunity to have private interviews with the persons deprived of their liberty without witnesses, either personally or with a translator if deemed necessary, as well as with any other person whom the national preventive mechanism believes may supply relevant information;

(e) The liberty to choose the places they want to visit and the persons they want to interview;

(f) The right to have contacts with the Subcommittee on Prevention, to send it information and to meet with it.

Article 21

1. No authority or official shall order, apply, permit or tolerate any sanction against any person or organization for having communicated to the national preventive mechanism any information, whether true or false, and no such person or organization shall be otherwise prejudiced in any way.

2. Confidential information collected by the national preventive mechanism shall be privileged. No personal data shall be published without the express consent of the person concerned.

Article 22

The competent authorities of the State Party concerned shall examine the recommendations of the national preventive mechanism and enter into a dialogue with it on possible implementation measures.

Article 23

The States Parties to the present Protocol undertake to publish and disseminate the annual reports of the national preventive mechanisms.

Part V
Declaration

Article 24

1. Upon ratification, States Parties can make a declaration postponing the implementation of their obligations either under part III or under part IV of the present Protocol.

2. This postponement shall be valid for a maximum of three years. After due representations made by the State Party and after consultation with the Subcommittee on Prevention, the Committee against Torture may extend that period for an additional two years.

Part VI
Financial provisions

Article 25

1. The expenditure incurred by the Subcommittee on Prevention in the implementation of the present Protocol shall be borne by the United Nations.

2. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Subcommittee under the present Protocol.

Article 26

1. A Special Fund shall be set up in accordance with the relevant procedures of the General Assembly, to be administered in accordance with the financial regulations and rules of the United Nations, to help finance the implementation of the recommendations made by the Subcommittee on Prevention after a visit to a State Party, as well as education programmes of the national preventive mechanisms.

2. The Special Fund may be financed through voluntary contributions made by Governments, intergovernmental and non-governmental organizations and other private or public entities.

Part VII
Final provisions

Article 27

1. The present Protocol is open for signature by any State that has signed the Convention.

2. The present Protocol is subject to ratification by any State that has ratified or acceded to the Convention. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State that has ratified or acceded to the Convention.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

5. The Secretary-General of the United Nations shall inform all States that have signed the present Protocol or acceded to it of the deposit of each instrument of ratification or accession.

Article 28

1. The present Protocol shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession, the present Protocol shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.

Article 29

The provisions of the present Protocol shall extend to all parts of federal States without any limitations or exceptions.

Article 30

No reservations shall be made to the present Protocol.

Article 31

The provisions of the present Protocol shall not affect the obligations of States Parties under any regional convention instituting a system of visits to places of detention. The Subcommittee on Prevention and the bodies established under such regional conventions are encouraged to consult and cooperate with a view to avoiding duplication and promoting effectively the objectives of the present Protocol.

Article 32

The provisions of the present Protocol shall not affect the obligations of States Parties to the four Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977, nor the opportunity available to any State Party to authorize the International Committee of the Red Cross to visit places of detention in situations not covered by international humanitarian law.

Article 33

1. Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the present Protocol and the Convention. Denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any act or situation that may occur prior to the date at which the denunciation becomes effective, or to the actions that the Subcommittee on Prevention has decided or may decide to adopt with respect to the State Party concerned, nor shall denunciation prejudice in any way the continued consideration of any matter already under consideration by the Subcommittee on Prevention prior to the date at which the denunciation becomes effective.

3. Following the date at which the denunciation of the State Party becomes effective, the Subcommittee on Prevention shall not commence consideration of any new matter regarding that State.

Article 34

1. Any State Party to the present Protocol may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to the States Parties to the present Protocol with a request that they notify him whether they favour a conference of States Parties for the purpose of considering and voting upon the proposal. In the event that within four months from the date of such communication at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting at the conference shall be submitted by the Secretary-General of the United Nations to all States Parties for acceptance.

2. An amendment adopted in accordance with paragraph 1 of the present article shall come into force when it has been accepted by a two-thirds majority of the States Parties to the present Protocol in accordance with their respective constitutional process.

3. When amendments come into force, they shall be binding on those States Parties that have accepted them, other States Parties still being bound by the provisions of the present Protocol and any earlier amendment that they have accepted.

Article 35

Members of the Subcommittee on Prevention and of the national preventive mechanisms shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions. Members of the Subcommittee on Prevention shall be accorded the privileges and immunities specified in section 22 of the Convention on Privileges and Immunities of the United Nations of 13 February 1946, subject to the provisions of section 23 of that Convention.

Article 36

When visiting a State Party, the members of the Subcommittee on Prevention shall, without prejudice to the provisions and purposes of the present Protocol and such privileges and immunities as they may enjoy:

(a) Respect the laws and regulations of the visited State;

(b) Refrain from any action or activity incompatible with the impartial and international nature of their duties.

Article 37

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States.